

80 30UR

CANADIAN OFFICIAL PUBLICATIONS
COLLECTION

DE PUBLICATIONS OFFICIELLES
CANADIENNES

NATIONAL LIBRARY/BIBLIOTHEQUE NATIONALE
CANADA

APPENDIX

TO THE

FORTY-FIFTH VOLUME

OF THE

JOURNALS OF THE HOUSE OF COMMONS

DOMINION OF CANADA

PART IV

SESSION 1909-10



OTTAWA

PRINTED BY C. H. PARMELEE, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY

1912

[Appendix No. 6.—1909-10.]

THE

OF

THE

OF THE

OF THE

OF THE

OF THE

OF THE

LIST OF APPENDICES, 1909-10

PART I.

No. 1.—Report of the Select Standing Committee on Agriculture and Colonization, as follows: The evidence of Dr. William Saunders, Director Dominion Experimental Farms, in connection with the recent farm crops in Canada; The evidence of Dr. C. Gordon Hewitt, Entomologist, in connection with the importance of Entomology in the development of Canada; The evidence of Mr. H. T. Güssow, Botanist, in connection with the problems of Plant Diseases; The evidence of Dr. C. E. Saunders, Cerealist, in connection with the growing and testing of wheat; The evidence of Mr. Felix Charlan, in connection with the Tobacco industry in Canada; The evidence of Mr. G. H. Clark, Seed Commissioner, in connection with the Swedish methods of crop improvement. *(Printed.)*

No. 2.—Report of the Select Standing Committee on Public Accounts, as follows: The evidence of Mr. T. O. Murray *re* payment of \$5,000 in connection with purchase of Sawdust Wharf, at Richibucto, N.B.; Respecting a payment of \$726 to John Dumas *re* Richibucto Wharf, and also a payment of \$914.12 to T. O. Murray *re* Richibucto Public buildings; Evidence respecting a payment of \$33,969.60 to the Maritime Dredging and Constructing Company, in connection with dredging at Gasperaux River; also a payment of \$16,050.20 at St. John Harbour; Evidence respecting a payment of \$44,056.44 to A. & R. Loggie *re* dredging at Loggieville, Bathurst, Dalhousie, and Stonehaven; also a payment of \$48,274.68 to the Maritime Dredging and Construction Company *re* dredging at Maquapit Lake; Evidence respecting payments of Taxes and Rents *re* Woods' Buildings, Ottawa, to the Imperial Realty Company; Evidence respecting certain payments *re* flooding of lands in connection with Asphodel, Percy and Hastings municipalities. *(Printed.)*

PART II.

No. 3.—Report of Special Committee on Mr. H. D. Lumsden's Charges, comprising: Order of Reference, Reports of the Committee, Factum of F. C. Chrysler, K.C., Minutes of Proceedings, Synopsis of Exhibits, Evidence and Discussions.

PART III.

No. 4.—Report of Special Committee on Bill No. 21, "An Act respecting Hours of Labour on Public Works," comprising the Evidence taken, Exhibits submitted, and Communications.

No. 5.—Report of the Select Standing Committee on Mines and Minerals, comprising Minutes of Proceedings and Evidence of Mr. Arthur Wilson in connection with Nickel and Nickel Steel for structural material; of Mr. Wallace Nesbitt, K.C.; of Mr. Patterson, in connection with the development of the Nickel Mines near Sudbury, Ontario, by the Nickel Copper Company of Ontario; of Mr. T. W. Gibson, in connection with the Nickel area of Ontario. *(Printed.)*

PART IV.

No. 6.—Report of the Special Committee on Bill No. 6, "An Act to amend the Criminal Code," comprising the Evidence taken, Arguments of Counsel and communications received in connection with pool selling, bookmaking and gambling on race tracks. *(Printed.)*

EVIDENCE

TAKEN BY

SPECIAL COMMITTEE

TO WHOM WAS REFERRED

BILL No. 6

RELATING TO

RACE TRACK GAMBLING

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY C. H. PARMELEE, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY

1912

CONTENTS.

	Page.
1. Special Committee, Members of.	9
2. Order of the House (December 10, 1909).	9
3. Order of the House (July 28, 1911).	9
4. Report of the Committee (March 16, 1910).	9
5. Evidence—	
Counsel representing various Racing Associations and Jockey Clubs—	
Mr. Beaton.	239
Mr. Counsell.	12
Mr. Dewart.	123
Mr. McCarthy.	12
Mr. Malone.	241
Mr. Meredith.	12
Mr. Moss.	11
Mr. Powell.	12
Mr. Raney.	12
Mr. Wilson, M.P.	12
Witnesses—	
Archibald, Inspector.	222
Barnard, M.P., G. H.	258
Batt, Thos. W.	408
Beck, Hon. Adam.	81
Bell, Dr. A. W.	214
Bleakley, John W.	295
Boyle, J. W.	337
Campbell, Colin.	324
Cardinal, Xavier.	322
Carpenter, S. H.	155
Carrington, Elmor R.	300
Charles, David Hugh.	361
Christie, Peter.	166
Cook, G. W.	89
Cowan, M.P., G. H.	261
Douglas, Hon. J. M.	161
Duncan, Walter.	185
Dyment, A. E.	49
Fisher, Hon. S. A.	173
Foulkes, Captain J.	584
Fraser, W. P.	186
Fraser, W. P.	533

	PAGE.
Gammon, Spurgeon..	112
German, M.P., W. M..	461
Grassett, Colonel H. J..	158
Greer, Inspector W..	286
Henderson, W. B..	91
Hendrie, Colonel..	74
Hendrie, Major Wm..	42
Ingles, Dr. N. S..	216
Lawton, Ralph..	313
Légaré, Camille..	323
Leggatt, Gordon J..	279
Lessard, Colonel..	47
Loudon, A. R..	101
Lyons, F. W..	401
McEachran, D..	60
McLennan, Bartlett..	99
McMahon, Bernard..	343
Malone, E. T..	243
Malone, E. T..	280
Merritt, Wm..	348
Nelson, Frank..	543
Ogilvie, A. E..	70
Orpen, A..	123
Paton, Hugh..	94
Pender, John P..	317
Quinn, Dr..	31
Routledge, Dr..	535
Rutherford, Dr. J. G..	19
Ryan, J. F..	575
Ryan, J. F., Statements handed in..	588
Ryan, J. F., Statutory Declaration..	591
Shearer, Dr. J. G..	478
Shepherd, O. B..	365
Sleman, Charles..	381
Smith, Alexander..	474
Smith, C. J..	439
Templeman, Hon. Wm..	243
Webster, Dr. Robert E..	65
Yeager, A..	429

ORDER OF REFERENCE.

'HOUSE OF COMMONS,

THURSDAY, December 2, 1909.

Ordered, That Bill No. 6, "An Act to amend the Criminal Code," be referred to a Special Committee composed of Messieurs:—

Miller,
McColl,
Monk,
Blain,

Sinclair,
Stratton, and
Martin (Regina).

Attest,

(Sgd.) THOS. B. FLINT,
Clerk of the House.

HOUSE OF COMMONS,

FRIDAY, December 10, 1909.

Ordered, That the said Committee be empowered to send for persons, papers and things, to take evidence under oath, to employ stenographers to take down evidence, to print evidence from day to day, to sit during the time that the House is in session, and to report from time to time.

Attest,

(Sgd.) THOS. B. FLINT,
Clerk of the House.

HOUSE OF COMMONS,

FRIDAY, July 28, 1911.

Ordered, That the evidence taken last session in connection with Bill 6, An Act to amend the Criminal Code, be printed as an Appendix to the Journals of the House of Commons, and that Rule 74 be suspended in relation thereto.

Attest,

(Sgd.) THOS. B. FLINT,
Clerk of the House.

REPORT OF THE SPECIAL COMMITTEE PRESENTED TO THE HOUSE
BY MR. MILLER, CHAIRMAN, ON WEDNESDAY, MARCH 26, 1910.

Your Committee have carefully considered this Bill and have given every opportunity to persons favourable or opposed to the same to appear and give evidence and express their views thereon, and considerable latitude was allowed in the admission of evidence.

After hearing and carefully considering the evidence submitted and the arguments of counsel, your Committee have prepared certain amendments to the said Bill, which said amendments are embodied in the Bill which has been reprinted and is submitted annexed hereto; also, the Minutes of Evidence taken and arguments of counsel for and against the proposed measure, and extracts from Minutes of Proceedings of the meeting held on the 15th March, 1910.

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

ROOM No. 32.

TUESDAY, January 18, 1910.

The Special Committee on Bill No. 6, to amend the Criminal Code, met this day at eleven o'clock, a.m.; there were present Messrs. Miller, chairman; Blain, McColl, Martin, (Regina), Stratton and Sinclair.

The CHAIRMAN.—Mr. W. E. Raney representing the parties, or many of the parties who are in favour of this Bill asked that certain persons be subpoenaed before the committee this day and produce books and certain statements. Mr. Monk, one of the members of our committee, said that he thought that those who were in favour of this Bill should first present their case, and I suggested then that Mr. Raney be asked, at Mr. Monk's suggestion and request, to produce witnesses this morning favourable to the Bill, and that the other witnesses, whom one would naturally suppose to be opposed to the Bill, be subpoenaed for tomorrow. That was agreed upon by the committee. Therefore Mr. Raney is here this morning and will produce witnesses and the morning will be used, as I suppose, in so far as he desires to use it. Then certain other witnesses have been subpoenaed for tomorrow. The committee will endeavour to suit as far as possible today the convenience of witnesses and it will be their desire to give all persons desiring to be heard a full hearing. If it is possible to get through more than the hearing of Mr. Raney's witnesses this morning, other witnesses will be called.

Mr. John H. Moss, Toronto.—I appear here at the request and on behalf of a number of gentlemen who are interested in horse breeding—they are not connected or interested in any way with horse racing—and a number of them are here to-day having received notice through the Press that the committee was to meet to-day and they are anxious to be heard by the committee as soon as possible. They have come at their own expense and they are here simply because they regard the interest of horse breeding as being affected by this Bill. I represent the Thoroughbred Horse Association of Canada of which Mr. William Hendrie is president and he is here to-day. I also represent Mr. A. E. Dymont whom, as a good many of you gentlemen may know, is largely interested in horse breeding, he also is here today; Dr. Quinn of Brampton who is well known as a horse breeder and he is here to-day; Dr. Webster of Ottawa, the Master of the Ottawa Hunt; and a prominent horse figure, Mr. George Beardmore, the Master of the Toronto Hunt who is not here to-day on account of illness, and a number of other gentlemen. We of course are not, as it were, parties to the record as they say in law in the sense that we are here in direct issue with Mr. Raney, but these gentlemen have their own views on this subject and on the subject of the effect this legislation will have on horse racing, and I ask that the committee, in view of their being here in this way, afford them the earliest possible opportunity of being heard.

The CHAIRMAN.—I am sure, Mr. Moss, the committee will be very glad to accommodate you in so far as it is possible to do, but I think that the witnesses who have been subpoenaed by the committee and who are here under subpoena should be the first to be heard.

Mr. McCOLL.—I understand that it is perhaps necessary for the committee to pass a motion that all the different parties that desire to be represented by counsel should have the privilege of doing so.

The CHAIRMAN.—That is as I understood.

Mr. McCOLL.—Then if that is the case I will move that all the different parties interested in this Bill desiring to appear by counsel have that privilege accorded them

1-2 GEORGE V., A. 1911

and be given a hearing. If the resolution passes I think we should have the names of those who are so represented.

The CHAIRMAN.—So that we may know who they are.

Mr. McCOLL.—Yes, who they are.

The CHAIRMAN.—It is moved and seconded that those persons desirous of being represented by counsel before the committee be accorded the privilege.

Motion carried unanimously.

The CHAIRMAN.—It will now be in order for the committee to know what counsel are here, what counsel are expected to be here, and what interest each counsel represents.

Mr. W. E. RANEY.—I appear with Dr. Shearer in support of the Bill.

The CHAIRMAN.—Mr. Moss has already stated that he represents the Thoroughbred Horse Breeders. Are you representing, Mr. Moss, the Thoroughbred Horse Breeders of the Dominion?

Mr. MOSS.—Breeders of horses, thoroughbred and otherwise.

The CHAIRMAN.—In Canada?

Mr. MOSS.—In Canada.

Mr. Leighton MCCARTHY.—I appear for the Ontario Jockey Club whose officers are: president, Joseph Seagram; first vice president, E. B. Osler, M.P.; second vice president, Hon. L. Melville Jones; directors, Hon. J. S. Hendrie, Robert J. Christie, Andrew Smith, George Torrance and D. W. Alexander.

The CHAIRMAN.—Are there any others?

Mr. G. W. POWELL.—I represent the British Columbia Thoroughbred Association, Vancouver.

Mr. F. E. MEREDITH, K.C., Montreal.—I represent the Montreal Jockey Club. The president is Sir H. Montague Allan; vice president, Hon. Justice Robidoux; and the directors, William P. Riggs, A. E. Ogilvie, Master of Fox hounds, James Carruthers, Colin Campbell Hugh Paton, George R. Hopper, Bartlett McLennan, Hugh A. Allan, Welton C. Percy, C. J. Fitzgerald, Dr. Charles McEachran, Hon. J. P. B. Casgrain, and Hartland MacDougall. I understand that Mr. Geoffrion, K.C., appears with me and I expect him here at any moment. You have also asked, Mr. Chairman, for the names of other counsel that may appear. I understand that Mr. Lafleur, K.C., is to appear, but that he cannot be here until to-morrow. I do not know exactly what interest he represents but I know he is coming up.

Mr. WILSON, M.P.—I do not exactly represent the Montreal Driving Club here, but I have an application to make on behalf of those gentlemen. Would the chairman be good enough to inform me at what hour the committee will sit to-morrow, and at what time so that I may wire the officers of the club to be present to make representations to this committee.

The CHAIRMAN.—It is expected the committee will sit to-morrow, but whether there will be time to-morrow to hear any other witnesses than those we have already provided for is, I think, doubtful.

Mr. WILSON.—The first question is whether the committee will sit to-morrow.

The CHAIRMAN.—I think so.

Mr. WILSON.—Will the committee be prepared to hear these gentlemen to-morrow? or, would it be possible to fix a certain date, or hour on a certain date, for them to be heard, so that I can communicate to the parties interested that they should be here at that time?

The CHAIRMAN.—We will remember your request, Mr. Wilson, I think we can better decide that by one o'clock.

Mr. WILSON.—Thank you very much, Mr. Chairman.

Mr. J. L. COUNSELL.—I appear on behalf of the Hamilton Jockey Club. The officers are: president, Hon. Wm. Gibson; vice president, F. C. Bruce, ex-M.P.; directors, J. J. Scott, K.C., P. D. Crerar, K.C., Samuel Barker, M.P., K.C., Robert Hobson, W. D. Long, Gordon Henderson, and Judge Monck.

APPENDIX No. 6

Mr. McCOLL.—Mr. Powell, would you have any objection to giving us the names of the officers of your association and the directors in the same way as other counsel have done?

Mr. POWELL.—The officers are: president, Mr. H. Abbott; 1st vice president, Mr. F. C. Wade; 2nd vice president, Mr. J. H. Senkler, K.C.; secretary treasurer, Mr. L. G. Lindsay; directors, Messrs. F. B. Springer, H. S. Springer, C. M. Marpole, George E. McDonald and Harold Mayne Daly.

Mr. MCCARTHY.—I understand, Mr. Chairman, there will be a representative here of the Winnipeg Jockey Club, although I do not know who he is to be.

Mr. MCCARTHY.—On behalf of the gentlemen who are present, I would like to ask, does the committee think, if the committee has decided, as has been stated, that in deciding, as you apparently have decided without hearing the parties, that the right of way should be given to Mr. Raney, you have given due consideration to the situation. I do not know how far Mr. Raney proposes to go to-day; I do not know that any notice was given to the various parties interested in order that the committee should hear the views of all those who are interested as to who should open and who should close this inquiry. We know that this inquiry was asked for, not by Mr. Raney or by the people he represents, but by the people whom I represent and whom my confreres here represent. Why therefore should the committee, without hearing the parties on that subject, make up their minds that Mr. Raney was to have the right of way and to give the evidence and have the conduct of this inquiry because that is what it amounts to, as we would say in an ordinary case at law. Now, I for one object, I do not think that is the procedure, I do not know—it may be that I am raising an objection which does not amount to anything—I do not know how far my friend Mr. Raney proposes to go to-day. The witnesses that the chairman speaks of as having been subpoenaed for to-day, are, as I understand it, witnesses that have been subpoenaed for to-morrow, and those are the only witnesses, so far as the committee is concerned, that you have subpoenaed. I do not know what this committee was called together for to-day, unless it was to take up this matter of procedure and to discuss this question which I am now raising, but there are no witnesses, as I understand it, that have been subpoenaed here by the committee for to-day. What does Mr. Raney propose to do if he is given the control of the inquiry? As I say, these witnesses are not here: they are not subpoenaed for to-day. Speaking for the Ontario Jockey Club I object, and I think it is an important objection, to his being placed in control of the inquiry without our being heard at all events in reference to that matter.

The CHAIRMAN.—Let me explain again, Mr. McCarthy and gentlemen, it was not that Mr. Raney asked to have, as you might say, the right of way for to-day, and the decision of the committee was taken not with the idea of extending any favour to Mr. Raney, who expressed his desire that certain witnesses should be subpoenaed and be heard by the committee; he did not fix any date upon which to hear these gentlemen, but simply said that he wanted them subpoenaed and he wanted to give them due notice because he was asking them to produce certain books and statements. I, as Chairman, called the committee together, because it was only by resolution that the committee could subpoena witnesses, and Mr. Monk strongly objected to those witnesses who were opposed to the bill being heard first and insisted that Mr. Raney should begin by producing witnesses favourable to the bill, and it was only by conceding that to Mr. Monk I could get the committee to pass a resolution subpoenaing witnesses at all. Mr. Raney was then informed that he would have to open. I think that was not his intention, it was not his request, but he was informed that by the resolution of the committee he would have to take up the time to-day and produce witnesses favourable to the bill. It is true his witnesses have not been subpoenaed because they were willing witnesses, and were willing to appear without subpoena, but, other witnesses that Mr. Raney desired should produce their books, were subpoenaed for to-morrow, because we had not notice from any source of any other witnesses that

1-2 GEORGE V., A. 1911

would be subpoenaed to appear before the committee. That is how the matter rests. What Mr. Raney proposes to do to-day we can best learn from Mr. Raney himself.

Mr. McCARTHY.—That is what we would like to know, if Mr. Raney would inform us we will see whether it is worth discussing the point now; we will hear Mr. Raney then.

Mr. W. E. RANEY.—I intended to ask the indulgence of the Committee while I address the members ten or fifteen minutes by way of defining the issues to which I understand the evidence will be directed, and by way of outlining the evidence which I intend to produce before the committee in support of the bill. As the Chairman has stated, my conception of the matter was that the House of Commons having confirmed the principle of this bill, the onus lay upon the opponents of the bill to make the case before the committee.

Mr. McCARTHY.—They affirmed the principle of the bill on the definite understanding that it was to be referred to a special committee for inquiry.

Mr. RANEY.—Well, we passed that stage at the second reading at all events.

Mr. McCARTHY.—We have passed the stage of the second reading, but not the stage of the confirmation of the principle of the bill.

Mr. RANEY.—We have passed the stage—what I desired to be understood to say was that we had passed the stage of discussion as to where the onus of beginning rests, because as the Chairman has correctly stated I desired, what I thought to be the correct procedure, that the opponents of the bill should first be heard, but having had the onus of opening put upon me, so to speak, I am here and I am ready to go on, with the proviso, of course, that I expect the opportunity usually accorded in proceedings of this kind to reply to the case that may be made by the opponents of the bill.

Mr. McCARTHY.—May I be allowed for one moment? Do you mean, then, that after you have made, as I understand it, a few remarks, ten minutes or so, you are going on to call witnesses to-day?

Mr. RANEY.—I am. I propose to present the case from the point of view that it presents itself to me, whether it be by calling witnesses or otherwise. I intend outlining what I purpose doing before I sit down.

Mr. McCARTHY.—Then we had better wait until Mr. Raney has outlined his proposed line of action.

Mr. RANEY.—The point in controversy, as it seems to me, is a very narrow one. There are several points covered by the bill, but there is only one, I think, to which there will be any occasion to address evidence. The present law, the Criminal Code, as it stands, makes race track gambling in pool rooms illegal. The betting house sections, 226 and 227, accomplish that purpose, and the courts have extended the meaning of the word 'Betting-house' so as to include anything having the properties of localization and fixity on a race track. So that we come to this situation that a man occupying, or standing on a box in a paddock on a race track or occupying a booth or a tent, or even standing under an umbrella fixed to the ground or occupying any particular fixed spot under the judicial interpretation of the law, as it now stands, could be held to be acting illegally, but if he be in a paddock, moving about, and not restrained by any particular fixture, box, booth, umbrella or otherwise, he is not under the provisions of the law, and his occupation is perfectly legal.

That is the full extent, I think, of the law as it goes at present. Now there are certain other things which are sought to be accomplished by this Bill. First, it is sought to make bookmaking, whether on the race tracks, or off the race tracks illegal. My only excuse for going into this, and I only intend to occupy two or three minutes is that some time has elapsed since the chairman (Mr. Miller) made his address in the House and it is just as well perhaps to refresh the minds of the committee with the points which are really in controversy.

First, then, bookmaking is sought to be made illegal whether on the race track or off the race track, including bookmaking on the streets, of which there has been a good deal in Toronto, and perhaps in other cities, because the law has been held not to

APPENDIX No. 6

apply to bookmaking on the streets or to bookmaking in the paddock, if the parties be not restrained, as I say, by any fixture or fixity of location.

Then the business of the tipster, and the business of a tout are made illegal. These names and what they stand for will be referred to later on by witnesses who will be called. The business of the handbook men is made illegal and the publication by the newspapers of racing odds and of the advertisements of tipsters and touts and hand-bookmen; these things are made illegal by the Bill.

Now, I think that none of these things will be in controversy except the one point, as to whether the law shall be extended so as to make race track bookmaking everywhere illegal. The other points are perhaps minor points. No counsel has appeared in defence of any other interests and I think none will attend, so that the matter to come before the committee will be: shall the present law be extended so as to cover bookmaking everywhere—in the paddock and on the streets. And even so far as that point is concerned my learned friends and I will have this common point of agreement: we will both agree, I am sure, that the present law ought to be changed. There ought not to be the absurd distinction between the bookmaker who stands still and the bookmaker who moves about. Either the law ought to go forward, or ought to go back. Either what my learned friends ask ought to be given—that is that this business ought to be made legal—or what we ask ought to be given, it ought to be made illegal. Now on that point, a point towards which, as I say, evidence will be directed, there are a goods many things to be said. The question may be approached from a number of standpoints. First and foremost, of course, is the moral aspect and intertwined with that—inextricably intertwined, I venture to think—is the economic aspect. These aspects being intertwined in that way I intend to ask the committee to hear Dr. Shearer, secretary of the Moral and Social Council of Canada, who as most of you know and perhaps all of you know, has been active in this matter and has made himself familiar with the facts, and the law and other things connected with the case. I intend to ask the committee to hear him in an exposition of the facts accompanied by evidence which the committee will be asked to receive.

Then, I intend to call witnesses who will speak as to what I may perhaps term the internal economy of the race track and who will speak as to how the different race tracks are managed, and by whom and so on, and who will speak as to the modus operandi of betting.

Now let me illustrate what I mean by a reference to the internal economy of the different race tracks. There is an association known as the Canadian Racing Association formed within the last year or two, I believe, including the Ontario tracks (except one, which I hope is outlawed so far as that association is concerned), and the Montreal track. The Ontario tracks included are the Ontario Jockey Club track, the Woodbine, the Hamilton Jockey club track, the Fort Erie track, the Windsor track and with these Ontario tracks are included the Montreal track. The racing is now controlled on these tracks by the Canadian Racing Association which is made up of these units. The racing under this association occupied 126 days during the summer of 1908—126 days of horse racing, that is horse running, in the province of Ontario and in Montreal on these five tracks. Then, there are besides these running tracks many trotting tracks with which I am not dealing now. There are the two running tracks in British Columbia about which something will be heard—the track at Vancouver and the track at Victoria. There is a broad line of demarcation separating these tracks into two classes, and I may perhaps classify them in this way: on the one side of the line are the Woodbine, the Montreal track and the Hamilton track. On the other side of the line of demarcation are the Fort Erie track, the Windsor track, the British Columbia track. These tracks are divided, as I say, by a line of demarcation, and I will define at once what that line of demarcation is. To illustrate it, I will refer to two tracks—the Woodbine on the one side and the Fort Erie on the other as types of these two classes. Now the Woodbine race meet is essentially a social and a sporting event; attracting many of the best people of Canada, with race track bookmaking as an

attraction and as a principal financial support. This race track is managed as you have heard from Mr. McCarthy, by eminently respectable men, strong men financially, all Canadians. This race track has a small capitalization but great wealth. Now, the the Fort Erie track: the Fort Erie track would be described—and I think it would be described by its owners—as a business proposition pure and simple. By its enemies it may be described as a gambling proposition pure and simple with the horse as an excuse. I will read to you the names of the directors and shareholders. The president of the association is John H. Madigan, Houston, Texas; secretary and treasurer, Sam Adler, St. Louis, Missouri; directors, Dan. A. Stuart, New York City; Lewis A. Cella, St. Louis; and John Condon, of Chicago. The capitalization of the Fort Erie association is \$100,000, the stock being distributed among those five men, so that we have at Fort Erie—and I think the same thing is true of the other three tracks I have mentioned—Windsor, and the two British Columbia tracks with the exception that so far as they are concerned, I think the real interest is hidden very largely—but so far as these four tracks are concerned, I think that I am within the mark when I say that they are all practically American tracks—American owned, American manned, American run and so far as the Fort Erie and Windsor tracks are concerned are frequented by Americans.

Mr. COUNSELL.—It is not the case at all in Windsor.

Mr. POWELL.—And not in Vancouver or Victoria.

Mr. RANEY.—We will let that stand until we come to the evidence. The evidence will show that the attendance at these tracks, especially Windsor and Fort Erie, is from 70 to 75 per cent American, the management entirely American, the capital—leave out Windsor if you like—at Fort Erie altogether American and the association is manned by these men who have described themselves as follows: Mr. Adler is a broker and Mr. Cella a broker, Mr. Condon, capitalist; Mr. Madigan, commission broker, and Mr. Stuart, capitalist. Then there is this other distinction that, as I said, the Fort Erie track is capitalized at \$100,000, but its assets, I am told are perhaps, as far as they are to be seen \$40,000 or \$50,000.

Mr. GERMAN.—It cost them \$100,000.

Mr. RANEY.—Very well, if it did, so much the better. The Woodbine track is capitalized; it has paid a capital of \$10,000, but it is capitalized nominally at \$20,000. It has assets, assessed in the city of Toronto, of \$220,000 on a paid up capital, as I have said, of \$10,000. It has very valuable real estate in the adjoining county, and I am told that its actual assets are worth somewhere between \$500,000 and \$750,000. That will be developed in the evidence, because, the secretary has been subpoenaed to appear here and produce the books. I just thought it worth while to put before the members of the committee these facts with regard to the line of demarcation between these two classes of tracks. Montreal, Toronto and Hamilton tracks assist no doubt in advancing the breeding interests; it remains for the evidence to be produced in regard to the other tracks, but they are all in the same category as far as the law is concerned. That brings me to another aspect of the case, that is the interest of the horse breeders and the racing men and the genuine sporting fraternity, the men who are really sportsmen and not gamblers. So far as the interests of the latter class are concerned, I venture to think the onus is not upon us, and I am very glad that my learned friends, Mr. McCarthy and Mr. Moss will take that onus, and when the time comes they will desire to be heard. On that issue also I hope to be able to place before the committee evidence to satisfy the committee that all the horsemen are not of the opinion that gambling is a necessary foundation for the sport of horse racing. Then at this stage I ask the permission of the committee to call Rev. Dr. Shearer to give evidence upon the moral and other aspects of the case.

The CHAIRMAN.—We will now hear Dr. Shearer.

Mr. MCCARTHY.—I understand that Dr. Shearer will be heard throughout this whole inquiry, he always has been on hand all through every inquiry of this nature; we have a number of very busy men here and it seems to me that if Mr. Raney is

APPENDIX No. 6

willing we should accept the onus of proof that horse racing is necessary in the interest of horse breeding we should start in now and give our evidence. It will be very much more convenient to give it now, these gentlemen who have come here are, as I have said, pretty busy men, the Hon. Mr. Hendrie, Mr. A. E. Dymont, Dr. Smith of Toronto, and men of that kind; I think we should hear these men first, and afterwards Dr. Shearer can have an opportunity to say what he likes, subject, of course, to the control of the committee. There is another point on which, before Dr. Shearer addresses the committee, if the committee does not approve of what I suggest, I would like to address myself. But of course if the committee does approve of my suggestion that matter can wait, there is no use taking up the time of the committee in discussing it at the present time.

Hon. Mr. STRATTON.—If Dr. Shearer is prepared to give us facts we ought to be prepared to hear them, but if it is a speech he desires to make, and a speech only, that is a different thing.

Mr. MCCARTHY.—I was coming to that afterwards, but I do not propose to waste the time of the committee at present on that point. The witnesses that we propose to call are prepared to be put under oath and examined and cross-examined as the committee may direct; I do not know whether that is the desire of the committee or not.

Hon. Mr. STRATTON.—We may have to listen to speeches to a certain extent, but we do not want them as a rule.

Mr. MCCARTHY.—All I want to do is to draw the line between speeches and evidence; anything that is going to affect the interests of my clients I want to have the right of cross-examination on; it is not necessary to discuss that matter farther at this moment. The witnesses that Mr. Moss is prepared to call are ready to submit to cross-examination and to give their evidence under oath as the committee may direct. As I say there is one other point I would like to discuss if the committee is going to decide that Dr. Shearer should be heard now.

Mr. MCCOLL.—Do I understand you to say, Mr. Raney, that Dr. Shearer is to give evidence.

Mr. RANEY.—Quite so—in this way that a quantity of material has been collected of various kinds which he will submit.

Mr. MCCOLL.—And he will verify that?

Mr. RANEY.—As to the results of betting in Toronto, he will put that before the committee.

Mr. MCCOLL.—And he will be subject to cross-examination by these gentlemen, that is if they desire it?

Mr. RANEY.—Quite so.

Mr. MOSS.—A word with regard to the gentlemen I represent. I presume this committee desires to get the information and evidence in regard to the facts and the necessity or otherwise for a change in the law and I do not apprehend that the committee is going to stick to any strict line of procedure or onus of proof throughout this inquiry because if my clients are to be obliged to sit in this committee and wait from day to day while the evidence that Mr. Raney proposes to give is to be heard, and to be subject to call as soon as he has completed his case it will be a very onerous burden for them to assume. I would venture to suggest there should be some direction given in that regard, and that we should not be compelled to wait in that manner but, so far as my people are concerned, that we should be taken up when it is convenient. I will therefore submit, and I venture to press earnestly, that as a matter of convenience to these gentlemen who are here—as Mr. McCarthy has said Mr. Shearer will be here throughout the whole inquiry and evidently his evidence is in the nature of documentary evidence and other evidence of that character which he has collected from observation—it is not going to inconvenience Dr. Shearer or Mr. Raney in the slightest degree if they step aside this morning and allow a number of these busy men whom I represent to say what they have to say and go about their business instead of keeping them here for an indefinite period.

1-2 GEORGE V., A. 1911

Mr. RANEY.—I might cut the matter short by saying that we are not making any contention in regard to this question, we are in the hands of the committee.

Mr. MEREDITH.—If I understand the position correctly Mr. Moss represents the horse breeding interests in this matter—have you any witnesses here whom you desire to have heard to-day, Mr. Moss?

Mr. MOSS.—I have a number of witnesses here to-day.

Mr. MEREDITH.—So far as the Montreal Jockey Club is concerned they would only be too glad to allow their witnesses to stand by until the other evidence is taken, because we can probably control our evidence more easily than Mr. Moss can his. I understand, Mr. Moss that you have gentlemen who are medical doctors, &c. in attendance here, and I know it is very difficult to keep these men away from their business. I want to get at the bottom of the question and I would prefer to have the evidence tendered by Mr. Moss taken first.

Mr. BLAIN.—How many other witnesses have you here?

Mr. RANEY.—I intended calling Mr. Fraser of the Ontario Jockey Club as my next witness.

Mr. BLAIN.—Is that all?

Mr. RANEY.—I think when I get through with Mr. Fraser the time will be up.

Mr. BLAIN.—The point I wanted to get at was how many witnesses have you in your case who have been brought here to-day?

Mr. RANEY.—We can make way for them probably to-morrow.

Mr. BLAIN.—That is not a fair answer to the question, I want to know how many witnesses you have.

Mr. RANEY.—I intended to call Dr. Shearer and Mr. Fraser, that is all the evidence I intended submitting to-day, but possibly if there was time to call another witness I would call one representative of the racing association.

Mr. MCCOLL.—Just another point, I understand from the remarks that you have made that you have a lot of material accumulated that Dr. Shearer will produce and verify.

Mr. RANEY.—Yes.

Mr. MCCOLL.—And if he is to be cross-examined by this array of counsel that I see here it may take up the time of the committee and it looks as though we will have two or three days of Dr. Shearer alone.

Mr. RANEY.—I do not know.

Mr. MCCOLL.—It would be too bad to keep these gentlemen here after they have come here voluntarily. I suppose their evidence will be very short, they will have very little to say about the matter.

Mr. MCCARTHY.—If Mr. Raney says he does not mind making way, there is no reason why the request made as to procedure should not be granted.

The CHAIRMAN.—It seems to me it must be perfectly clear that if we make an arrangement and then upset that arrangement it will lead to confusion. An arrangement was made that Mr. Raney should have control at this sitting.

Mr. MCCARTHY.—Made without consultation with any of the other parties interested.

The CHAIRMAN.—Made by a consultation of the committee among themselves when there was no outside person here. I do not think it would be fair to Mr. Raney, that the committee having entered into an arrangement with him should now direct otherwise, but if that gentleman chooses to give way it is not a matter which the committee are concerned in at all.

Mr. RANEY.—It is not a personal matter with me at all.

The CHAIRMAN.—Are you willing to give way?

Mr. RANEY.—Certainly.

The CHAIRMAN.—Then that settles it. I think this is to be understood; that when Rev. Dr. Shearer is called he is called in the same way as any other witness. He is

APPENDIX No. 6

here to give evidence under oath and to be cross-examined the same as any other witness.

Mr. Moss.—I may say frankly that I desire to first have an Ottawa gentleman called, that is Dr. Rutherford. I do that because it will shorten the proceedings in regard to the other evidence. Dr. Rutherford is an expert in this branch of the business.

The CHAIRMAN.—It is asked that the witnesses be as concise as possible in making their statements so that the time of the committee and of the witnesses may be used to the best advantage.

Dr. J. G. RUTHERFORD, Ottawa, called, sworn and examined:

By Mr. Moss:

Q. What is your position?—A. I am Veterinary Director General and Live Stock Commissioner.

Q. Of Canada?—A. Yes.

Q. How long have you occupied that position?—A. I have been Veterinary Director General for nearly eight years, not always by that title, and I have been Live Stock Commissioner for three years and a half.

Q. And previous to that did you have experience in horse breeding?—A. Yes.

Q. I understand, to shorten the matter up, that you have had experience in that business all your life both in the old country and on this side of the Atlantic, and perhaps you will indicate briefly just what that experience is?—A. Well of course I have been connected with horses all my life. I have been a veterinary surgeon for upwards of thirty years. I was for nearly two years manager of a very large racing and breeding establishment in the United States. I have been connected with horse breeding. I was for five years president of the Horse Breeders' Association of Manitoba and the Northwest Territories. I have bred a number of horses myself and have always taken a great interest in the subject.

Q. At the present time you have no interest—no financial or other interest—in any racing track or anything of that sort?—A. None whatever.

Q. What do you say, Dr. Rutherford, I am going to ask you the question broadly, as to the importance or otherwise of the thoroughbred in connection with the horse breeding industries of the country?—A. The thoroughbred horse is the foundation of all light horse breeding. Without the thoroughbred horse you can have no really good light horse breeding.

Q. Will you explain a little more fully what you mean by that?—A. Well all our breeds of light horses, with the exception of some of the breeds of ponies in which it cannot be traced, owe their best qualities to the thoroughbred horse. The American bred horse for instance is descended direct from the English thoroughbred Messenger imported during the latter part of the eighteenth century. The Hackney horse owes its best quality to the thoroughbred horse. The great progenitor of the hackneys was a thoroughbred horse also imported about the same time, a horse called Blaze. Take the various breeds of coach horses, both British and Continental and they have all been built up by the use of a very strong infusion of thoroughbred blood. The common horses in the country, the half-breed horses that are in use for hunting and military purposes in all countries in the world, in the present day owe their best qualities—their excellences, their endurance, their strength and their courage to the use of thoroughbred blood.

Q. Does that apply to all kinds of military horses?—A. Yes, all kinds of military horses.

Q. Cavalry and artillery?—A. Yes.

Q. Has that been recognized by foreign and other governments?—A. Yes.

Q. Will you give us a few instances of that?—A. The German government invest very large sums in the purchase of English thoroughbred horses for the improve-

ment of their horse stock with a view to supplying the needs of the army. They bought two horses. They bought one horse Galtee-More, a Derby winner, and another horse Ard Patrick. They paid for the one the sum of one hundred and five thousand dollars the other horse was purchased by the Russian government at a similar figure, but during the time of the Japanese war he was sold to Germany for the sum of eighty thousand dollars. Count Lehndorff, who is the German Master of Horse and one of the greatest authorities on horse breeding the world has ever known, said it paid the German government well to go to Great Britain and pay one hundred and five thousand dollars for the best horse they could get in order to use him on the common ordinary mares of the country. The French government has also—

Q. That is an instance of the policy of the German government?—A. Yes.

Q. And that country I presume has profited thereby?—A. Yes, they have a very large number of English thoroughbred horses in the government studs in Germany.

Q. Well then as to France?—A. France has also spent large sums of money in developing the horses of the country by the use of English thoroughbreds. They also use for the same purpose the Arabian and the Barb both of which are progenitors of the thoroughbred.

Q. I am told that Flying Fox was bought by them?—A. Yes.

Q. Was that one of the King's horses?—A. No, he was not owned by the King. He was bought by Monsieur Blanc on behalf of the French government for thirty-seven thousand five hundred guineas.

Q. That would be about one hundred and eighty seven thousand dollars I understand?—A. Yes, something like that.

Q. Then what about Italy?—A. Italy is also devoting a great deal of attention to the use of the thoroughbred in improving the horse stock of the country. Very satisfactory progress has been made. The horses to be seen in Italy to-day are very superior and they owe their excellences to the same source, that is this thoroughbred.

Q. The Italian cavalry horse is a very superior horse?—A. A very superior horse.

Q. Do you attribute that to the presence of the thoroughbred in it?—A. Yes.

Q. Then the Argentine Republic is a very large horse breeding country, is it not?—A. Yes.

Q. What do you say about it?—A. They also use the English thoroughbred, they took the horse 'Ormond' from England, the great Derby winner, which was bought for a very large sum, I cannot say exactly what figure was paid for him, by the Argentine, but the horse was afterwards taken away from them at \$150,000.

Q. And what about the British Colonies other than Canada?—A. Australia and New Zealand are using thoroughbreds very largely, the result being that the demand for the Australian horse the 'Whaler,' as he is called, in the Indian army and in any military operations which the empire has had in the east or the south has been enormous. The Whaler horse brought from Australia to South Africa did excellent work, the same is true with regard to the New Zealand horse. In India also, at the present moment the Indian government is maintaining a very large remount breeding establishment in Northern India in which the horses used are almost exclusively English thoroughbreds.

Q. I have not asked you anything about England, perhaps that is hardly necessary. We all know that, but you might say a word or two about England—A. Of course in England the government has never devoted the same money and the same attention to the breeding of horses as the governments of other countries have for the simple reason that in England there has been on the part of the people such a strong feeling in favour of the thoroughbred and in favour of racing generally, carefully fostered I might say through many centuries by the Crown, that it has not been found necessary to expend the vast sums which have been spent by other less enlightened countries.

Q. Then we may say, perhaps fairly, that other countries have taken England as an example in trying to improve their horse stock to the same degree of excellence

APPENDIX No. 6

as it is found in England.—A. In trying to obtain the same results in the improvement of their home stock that have been obtained in England by private enterprise.

Q. Have you any experience in England in reference to the Boer war? Were you occupied in buying horses?—A. No, but I had a very great deal to do with remount officers who came out here from Great Britain both then and afterwards.

Q. What was the effect of your communications with them in that regard?—A. Well, one of the great difficulties they saw in Canada was the lack of horses suitable for army purposes; of course you understand they buy very inferior horses in time of war to what they purchase in time of peace, and they were able to pick up a few thousands of those somewhat inferior horses in Canada. But they were very greatly disappointed at the quality of the Canadian light horse and were not able to buy nearly as many as they would otherwise have bought even of such horses as they did buy.

Q. In your opinion is Canada a country that ought to develop a large light horse breeding industry?—A. Yes.

Q. Is it suitable for that purpose?—A. Very suitable.

Q. In what regard, Dr. Rutherford, would you explain that more clearly?—A. Well—

Q. I mean that is your opinion, now give us the reasons for that opinion?—A. Well, we breed in Canada at the present time a very large number of light legged horses, but there are many, a majority of those horses, useless nondescripts, because insufficient care and attention is being devoted to the selection of proper sires for use on the common mares of the country. If we were to use more thoroughbred blood in this country we would have an infinitely better class of light horses for general use. Not only that, we would be doing our share in furnishing our quota of the horses required for military purposes in the event of the empire being engaged in war. That, we are not doing at the present time. But we found that there were purchased in the United States during the Boer war something like 113,000 odd horses and mules; they bought in Austria-Hungary a very large number, they bought in Italy, they bought in Spain, they bought in Argentine, they bought wherever they could buy because the Boer Republic not being a Sovereign power there was no objection on the part of neutral powers to allow the purchase by the British War Office of horses in those countries, except on the part of the United States, which, towards the close of the war, summarily ejected the agents of the British War Office and told them they must get out of the country and must not come back any more. The other countries, however, raised no objection. If this Republic had been a sovereign power Great Britain would have been unable to purchase horses except in her own territory or in that of an ally or friendly nation, with the result that the 800,000 odd horses which were used up in the Boer war would not have been available and the empire would have been seriously crippled.

Q. What do you say in regard to the necessity or otherwise of racing as an ingredient in the maintenance of the quality of the thoroughbred?—A. You cannot have the thoroughbred horse, such as he is to-day, unless you race him because in the course of one or two generations without his being engaged in contests keen and hard he would lose his courage, he would lose his speed, he would lose that intangible something which we call quality, in which the thoroughbred horse stands pre-eminent.

Q. Then is the maintenance of racing necessary to maintain the supply of thoroughbreds?—A. I think it is, absolutely.

Q. I mean apart from his becoming inferior in racing quality without it, is the thoroughbred dependent for his quantity on the maintenance of racing, maintaining the numbers, do I make myself plain?—A. There would be no particular object in breeding thoroughbreds if you were not breeding those qualities of which I have spoken, and without racing the horse would lose those qualities, and secondly he would become a soft, ornamental kind of animal without the advantages which he now possesses.

1-2 GEORGE V., A. 1911

Q. Apart from racing as a matter of finance, could the thoroughbred establishments be maintained?—A. Well, of course—

Q. I mean as a financial?—A. You could always get men perhaps who would breed horses of that strain, but as I have already said they would deteriorate so rapidly that the object of breeding them would be lost.

Q. I mean as to the financial side of it, would it be done at a great loss or would it degenerate into a mere fad like the breeding of poultry?—A. Well, perhaps not like breeding poultry because the thoroughbred although he might not be able to run as fast or to transmit his good qualities to his progeny, would still be useful for other purposes the same as any other common horse would be. It would not be a fad like the breeding of poultry, but it would be like the breeding of an ordinary horse for ordinary purposes. Of course I do not wish to say that poultry are not useful in their place.

Mr. Moss.—I did not mean to throw any slur on poultry either. That is all.

By Mr. McCarthy:

Q. As to the procuring of good, or what you may call prominent sires, why are they procured in this country?—A. For various reasons. Good pre-eminent sires, sires of pre-eminent standing in the racing world are purchased by men who have thoroughbred mares in order to perpetuate the breed.

Q. In order to perpetuate the breed?—A. Yes.

Q. Or any other purpose. Who are the men who bring those sires to Canada?—

A. There are a few men, a very few men—

Q. A very few men?—A. Who have brought those horses to Canada.

Q. Are these the men who enter their horses for racing at the various race meets in Canada?—A. Some of them are.

Q. Some of them are, are they not almost entirely?—A. No.

Q. They are not?—A. No.

Q. Some sires are brought to Canada by men who do not enter them for racing?—A. Yes.

Q. What would be the percentage of the imported thoroughbred sires brought by men who do not indulge in racing?—A. I should say that 30 or 40 per cent of the thoroughbred stallions that come to Canada are brought here by men who are not directly interested in racing.

Q. Not directly interested in racing. For what purpose are they brought out then?—A. They are brought to Canada for producing half-bred horses.

Mr. RANEY.—Standard breeds.

By Mr. McCarthy:

Q. Halfbred horses. Then those halfbred horses are used for what purpose?—A. You can use a good halfbred horse for any purpose.

Q. For any purpose?—A. Yes.

Q. Are those the kind of horses that are used in the infantry and cavalry?—A. The mounted infantry.

Q. The mounted infantry I mean, and also in our own mounted police?—A. Yes; when they can get them.

Q. Those are the kind of horses they want?—A. Yes.

Q. They are got for that purpose?—A. Yes.

Q. How do you find out whether a sire is a pre-eminent one?—A. Well there are two standards of course. First of all, and most important for both the thoroughbred or the halfbred horse is the pedigree of the horse, that is in considering what they have done and what their record of performance is.

Q. What do you mean by what they have done?—A. Their record of performance on the race track.

Q. So that the race track is where you obtain the pre-eminence of the sire?—A.

APPENDIX No. 6

Yes, I was going to add that the racing man, the man who is breeding race horses, is always very particular if he possibly can to get a horse not only descended from a long line of performers on both sides, but a horse who has been himself a performer.

Q. Who has been himself a performer?—A. Yes.

Q. I understand your evidence to be that importations into Canada and the United States—all countries practically—are from England? England supplies the market for the world?—A. Yes.

Q. And these sires that are purchased by other countries and sought for by other countries are those which have attained pre-eminence on the race tracks of England?—A. Yes.

Q. And you say that racing is necessary in order to maintain the thoroughbred horse at its present standard?—A. I am quite certain on that point.

Q. You are quite certain on that point? Now this 30 or 40 per cent of breeders who import sires, do they not breed and sell horses for the race track?—A. That is the 30 or 40 per cent—

Q. Who are not directly interested in racing?—A. No not as a rule.

Q. Well where are they situated, among the ranches of the west?—A. There are a few now. At one time there were a great many more on western ranches. There are a few all over the country scattered here and there.

Q. Scattered here and there?—A. I may say that the majority of the men who have followed that line have done so at a financial loss, that the ordinary owner of a thoroughbred stallion in Canada has kept that horse, as far as my experience during the last thirty-five years goes, at a personal financial loss, having for his object the improvement of the horse stock of the country and not for making the money.

Q. Not for making the money? Then assuming that race meetings in Canada were stopped for any reason whatsoever what effect, in your opinion, would that have upon the progressiveness of thoroughbred horse breeding in Canada?—A. I think it would have a most damaging effect.

Q. A most damaging effect for the reason which you have given this morning?—A. Yes, for the reasons I have already stated.

The CHAIRMAN.—Are there any further questions to be asked this witness?

Mr. RANEY.—I have none.

The CHAIRMAN.—Have any members of the committee?

Mr. McCOLL.—I would like to ask you a question, Doctor. Do they permit race track betting in England, Germany, France, Italy, Russia, Australia, India and the Argentine Republic, places that you have mentioned as being importers of thoroughbred horses from England?—A. Well I have not been in all of them, but in all the countries that I have been they do permit it, and I understand they do in the others also.

Q. What countries do you know of personally?—A. They do in England, in Italy, and in France. In France of course the betting is controlled by the government.

Q. Now considering horse racing as a sport would you deem it necessary for the success of that sport to permit betting of some sort on the race track while the race meeting is in progress?—A. Well, I think so for this reason, that a very great number of people who go to the races like to take a little interest in the contest. Even the ladies will be making a little hat pool, as you know, of twenty-five cents or something of that sort on the race, and if that inducement were withdrawn altogether, if it were made a criminal offence to take a little interest in contests of that kind, I fancy that the number of people attending these race meetings would be very largely diminished. I think that a great many people who now go to have a little amusement in that way, besides seeing the horses run, might not go, and if the gate money were diminished to any very serious extent the purses which would be offered for the races would suffer a corresponding lessening, and in that way the abolition of betting would in my opinion, have a very serious effect on the success of race meetings and on the development of the thoroughbred horse.

1-2 GEORGE V., A. 1911

Q. As I am informed in those different states where they have passed these laws regarding horse racing, gambling, it has had the effect of actually closing up nearly all the race tracks in those states?—A. It has had a very serious effect upon them and it has diminished the receipts to such an extent that even those tracks that are still holding on will probably have to close in the near future. However, it has had what is, to my mind, a much more serious effect, because I am not interested in racing except as a means to an end, it has had the much more serious effect of closing a large number of breeding establishments in those states; establishments which have been for years devoted to the production of high class thoroughbred horses are now making preparations to close.

By Mr. Sinclair:

Q. To what states do you refer?—A. The State of New York and the State of Virginia, which is one of the very best horsebreeding States in the United States, and there are several establishments in Virginia that have been for a very long time in existence are now preparing to close up. Then again there is the State of Kentucky, and the State of Tennessee in which, although the legislation has not gone as far there as that in some of the other States, being a breeding State they suffer almost as much as if that legislation were passed in their own State.

Q. Is bookmaking prohibited in those States?—A. Not so far as I know in Kentucky or Tennessee, but it is in the State of New York.

Q. What would you say to prohibiting bookmaking and permitting private betting?—A. Well, I am not very much interested in the betting end of it at all; I do not care much about that myself but I would be very strongly in favour of having betting limited to the race course and to the time of the races. I am very strongly in favour of that. I think if any attempt were made to differentiate between bookmaking and private betting it would be an exceedingly difficult law to enforce, something like the existing state of affairs on the Ontario tracks at the present time.

By Mr. Blain:

Q. What would you say as to reducing the number of days for racing?—A. I would be very strongly in favour of it, I appreciate very much what Mr. Raney has said in reference to those tracks. I would be very strongly in favour of reducing the number of days' racing.

By Mr. McColl:

Q. What do I understand from that, do you mean in any of those tracks?

By Mr. Blain:

Q. Where the evils exist those evils would be greatly diminished if not absolutely exterminated by shortening the days of the meeting?—A. Yes, I think so.

The CHAIRMAN.—Do you desire to ask the witness any questions, Mr. Raney?

Mr. RANEY.—Yes, I think that pointed question by a member of the committee gets somewhere near the kernel of the matter and I would like to ask a question.

By Mr. Raney:

Q. I understood you to say that horse breeding in Canada is not in a satisfactory state as demonstrated by the results of the purchases made by the agents of the British government during the Boer war?—A. Yes.

Q. And that horse breeding is perhaps at a lower ebb in Canada than in almost any other country?—A. I would not like to say that, but in almost any other country that claims to be civilized and advanced—

Q. Well, we will leave it at that. I thought I heard a reference to some other countries than were less civilized than Great Britain because they were granting subventions for horse breeding, but that did not refer to Canada, of course. Then I do not understand you to be a race track man?—A. No.

APPENDIX No. 6

Q. Or to have given the subject of the relation between betting and horse racing any scientific study?—A. No, not for a great many years.

Q. And if you gave it a scientific study then it was for a different purpose?—A. Yes.

Q. But you do think it would be a mistake to interfere absolutely with betting on race tracks, and you have not considered the relation between betting on the race tracks as between individuals and the business of betting as carried on by book-makers—

Mr. McCARTHY.—On the race course.

Mr. RANEY.—On the race course or off the race course?—A. You mean betting between individuals?

By Mr. Raney:

Q. I mean the case such as you have instanced of ladies making a pool in a hat, or a gentleman saying: 'I will lay ten to five on that horse,' you saying that to me or I saying it to you; that is one thing; it is a different thing for a track to grant racing privileges to say 50 men to make books. At all events there is a distinction between the two. Do I understand you to draw that distinction between book-making and ordinary betting between individuals?—A. Well, I do not know that I quite understand the drift of your question. Please put it a little more plainly.

Q. Did you then, to put it squarely, did you intend in your evidence to say that you thought book-making necessary to the maintenance of the standard of horse breeding?—A. No, I would not say that book-making was necessary at all, because I have seen it on the French course where the Paris Mutuels is in force, there the betting is controlled by the government and there is no provision for bettors at all, and the success of racing is just as great as in the case of book-makers. I do not want to dodge your question, but I would say this speaking frankly as a man who, while by no means a betting man myself, takes an interest in the subject and has had some means of obtaining information with regard to it, that I think some form of public betting is desirable in addition to the privilege of betting between individuals.

Q. Then we understand you that you think there ought either to be book-making or the Paris Mutuel system or something of that kind?—A. Yes.

Q. Something that offers an invitation to bet besides the voluntary act?—A. I would not say, 'Offers an invitation,' I would rather prefer to say, 'affords an opportunity.'

Q. I think we can understand that all right. Then Dr. Rutherford it simply means the same thing, whether we put it in the same words or not. Now, one or two other questions. You say that a number of horse breeding establishments are closed in some of the American States?—A. Were about to close.

Q. Now, have you that information on evidence or is it just rumour?—A. Well, I cannot give it to you at the present moment in detail, but I could furnish it.

Q. I see. Can you tell me, then, whether those establishments are establishments that have been maintained by racing men?—A. In some cases, yes.

Q. Do you know of any case where horse breeders are closing their establishments, the breeders not being racing men?—A. Yes, I do.

Q. In those cases I suppose their customers would be racing men.

Q. Can you give me an instance of that kind?—A. Well, I understand that the Belle Mead Stud in Nashville, Tenn., is one.

Q. Do you know who the proprietor of that establishment is?—A. I really cannot say who the present proprietor is, but it was established by the late General Harding.

Q. Then you do not know whether the proprietor is a racing man or not?—A. My impression is that General Harding was not, in the latter years of his life. I do not care to say anything of which I am not sure.

1-2 GEORGE V., A. 1911

Q. Then I understand your evidence on this point to be rather an impression than facts?—A. It is an impression, Mr. Raney, but it is an exceedingly well founded impression, and an impression that there will be no difficulty in confirming.

By Mr. Moss:

Q. The name of Mr. Milton Young was mentioned?—A. Milton Young of course is a racing man.

Mr. RANEY.—You can understand of course that a racing man who is deriving profit from raising horses might desire to go out of the business if he were not permitted to make books on the track?—A. Yes.

Q. That would be a different thing altogether?—A. The same thing applies, I may add, to the man who has been producing thoroughbreds for sale to racing men.

Q. To some extent no doubt.

By Mr. McCarthy:

Q. To a considerable extent. You do not, Mr. Rutherford, differentiate to any very great extent between the man who actually breeds the horses and the one who sells them to the racing man?—A. I do not see any difference.

By Mr. Moss:

Q. The business is much the same whether they are owned by the racing man or the man who breeds them?—A. The man who breeds horses for sale, sells those horses when they are a year old. They are sold as yearlings and they are purchased by racing men so that the practice is the same thing whether the man is breeding for his own stables or breeding for the stables of others.

Q. And after their usefulness as race horses are gone they are put into the stud?—A. Yes.

Q. And that is how the breeders are able to get these high priced horses into the stud, because they are—A. Disabled for racing.

By the Chairman:

Q. Dr. Rutherford you have said that a thoroughbred is the foundation of the standard bred and of the hackney stallions of every light legged horse?—A. Yes.

Q. Is the thoroughbred horse used to-day either in Canada or in the United States, I mean in the improvement of the standard bred horse?—A. Not nearly as much as he should be. The standard bred horse has been developed for a great many years in what are known as speed lines. That is he has been developed for speed only. His conformation, and in too many cases, his stamina and constitution, has been entirely ignored. Men having speed mares have brought them to the fastest stallion they could get without paying any attention whatever to the maintaining of the constitution, the conformation and the general symmetry of the horse.

Q. But as a matter of fact, is the thoroughbred being used in Canada or the United States to improve the standard bred horse to-day?—A. This fact stands out; he is not being used to any very great extent, but there have been a very great number of striking object lessons where the thoroughbred has been used accidentally or otherwise—or I might say almost without the deliberate intention or otherwise—inasmuch as not only had the conformation, symmetry and general appearance of the trotter been greatly improved, but actually the speed and endurance have also been improved.

Q. Can you name any breeder in the United States or Canada, any breeder of standard bred horses, who is using thoroughbred sires?—A. No for the simple reason that under standard trotting rules by doing so he would render his horses ineligible for registration.

Q. That is the next question I was going to ask you. Then it is a fact that if a man crosses upon his standard bred mares a thoroughbred stallion he is ineligible for registration in the standard bred register?—A. That is right.

APPENDIX No. 6

Q. Now, I would like to ask you the same question as to the hackney. Is it a fact that to-day Canadian or United States breeders of hackney horses are using the thoroughbred?—A. No. Unfortunately no.

Q. Then again we have it as a matter of theory that it would be well in your opinion to use the thoroughbred but as a matter of fact it is not being used?—A. Not exactly a matter of theory, Mr. Chairman, a matter which has been successfully demonstrated. The hackney stud book is a very recent production. The English hackney book is a very recent production as compared with the thoroughbred stud book and the mares until very recently were admitted on inspection, and a very great many half and three parts breed mares were admitted into the hackney stud book as inspection dams and their blood stands pre-eminent to-day.

Q. Do you know of any of them who are using thoroughbred sires in the breeding of hackneys?—A. No.

Q. You have told us, doctor, of the sales of a number of high class thoroughbred horses at high prices. Do you know of any sales of Canadian bred thoroughbred horses at high prices?—A. Well, I have not been very much in the line of buying and selling thoroughbreds of recent years. I remember of one little Canadian mare—the little thing stood barely fifteen hands high—that was sold for \$2,500.

Q. That would be a very exceptional case I should think?—A. I have not heard of very many because there were comparatively few thoroughbreds bred in Canada.

Q. Have you ever taken notice of the prices realized by the breeders of thoroughbreds in Canada at their annual sales of their surplus stock, do you know anything of the prices realized by them?—A. Yes.

Q. The prices are very low are they not?—A. Very low.

Q. Lower than the prices of ordinary driving horses?—A. In some cases, yes.

Q. Most cases?—A. In some cases.

Q. Take the thoroughbred horses that appear and are successful on our running tracks to-day, are not the most of them imported horses either from the United States or Britain?—A. There are some very good Canadian breeds you know.

Q. Yes, I am aware of that. Seagram and Dymont have bred some good ones, but the majority of the successful race horses are imported are they not—even Mr. Seagram's, some of them?—A. Well I do not follow the races closely enough to know that, but I would say that at such races as at Woodbine and the Montreal races there is a fair scattering of Canadian bred winners amongst them.

Q. Just a fair scattering?—A. Yes, considering the proportion of Canadian bred horses to those that are bred in other countries.

Q. You have already said that when we came to purchase horses in Canada for the Boer war we were lamentably short of good light legged horses suitable for the purpose?—A. Yes.

Q. That is a fact. The Queen's Plate was established in Canada in 1861, I believe that is correct?—A. I think so.

Q. And for the purpose of encouraging the breeding of thoroughbred horses?—A. Yes.

Q. There have been running races in Canada ever since then?—A. I do not know whether you ever followed the history of the Queen's Plate. The Queen's Plate was fifty guineas, the munificent sum of two hundred and fifty dollars a year, which would hardly pay a man to buy a stallion for one hundred thousand dollars and a mare for twenty-five thousand dollars to produce a winner for him. The history of the Queen's Plate in Ontario was a very chequered one. For many years it was very difficult to get a field to start at all and the fields were of the most nondescript character. It was only within very recent years that the Queen's Plate attained anything like the eminence as a race which it holds to-day.

Q. There have been running races in Canada ever since 1861?—A. Yes, without any inducement in the way of money grants.

Q. The point I want to make is this that there have been running races in

Canada now for nearly 50 years but they do not appear to have been productive of any good results in the way of horse breeding?—A. You could not expect it with the kind of races there were, 3 or 4 or 5 horses constituting a meeting.

Q. But talking recently to a man who seems to know a great deal about breeding horses, a lover of horses and a lover of sport, he said to me, and I thought he was very sensible in his remarks, that the present short races run on the running tracks of Canada are really no test or evidence of endurance upon the part of the horses engaged. What do you think about that?—A. That man is quite right.

Q. What is the length of the course in the King's Plate?—A. It is $1\frac{1}{4}$ miles.

Q. Most of the running races are much shorter are they not?—A. The majority of them.

Q. They are shorter. Is a race of that length of any real value either as evidence of endurance or to produce the qualities of endurance in a horse?—A. You mean $1\frac{1}{4}$ miles? That is a good distance, you know a mile is a good distance, but anything under a mile I do not think should be called a race except for two year olds and three year olds.

Q. Then if the production of good thoroughbreds was the object of racing, would it not be advisable to make the races considerably longer than they are?—A. To extend the length of the races and to increase the weight carried. I understand that the Woodbine racecourse has been moving in that direction for some years back. I am very strongly in favour of that.

Q. Governor Polk, of the State of Missouri, recently said in giving evidence in some case in New York that in the State of Missouri they are paying more attention to the breeding of horses since the policy of restricting betting has been adopted than they were before. Do you know anything as to the truth or the contrary of that?—A. No.

Q. There is just one other question I would like to ask and that is that if horse racing were carried on with the idea of producing a good type of running horse, and if the principal object of carrying on racing was the improvement of the breed of horses, would it be advisable to do as they do now, handicap the horse by making him carry a heavy weight, that is the horse that has the best speed record, or would you not allow the horse to demonstrate by his success at the winning post which is the better bred, and which has the best conformation? Would not that be the way if you had in view simply the improvement of the breed? Would you favour the present system of handicapping by placing extra weight on the horse that has the best speed record?—A. Yes, I would.

Q. You would?—A. And I would do so for this reason that you take a dozen horses and start them at the beginning of the season; the best horse wins. You start them again three days afterwards and the same horse wins again; start them again at the end of the week and again the same horse wins, and so on, so that you would have a pretty hard time, after a little while, in getting the other men to start their horses any more during that season.

Q. You take that means of prolonging the sport and of preventing the better breed of horses, and the horses with the better conformation from doing what nature has qualified him to do. That is with the object not of improving the breed but of prolonging the sport?—A. No, the object is to encourage the breeding of better horses. If one man had a lucky string and won every race, or if he had more money to buy horses than the other there would be no races because the man with the most money or the lucky string would take all the prize money.

By Mr. McCarthy:

Q. At what stage in the progress of horse racing, or how many years ago do you calculate the races began to have an effect in improving the breed in Canada?—A. I think they had a little effect from the very beginning, but only on a few; it was a little leaven that leavened the whole matter, but latterly since the reorganization

APPENDIX No. 6

of the Woodbine, I do not know how many years ago that was, but anyway at the time --it must be between 15 and 20 years ago, is it not, that they began—

Q. Yes.—A. Since that time there has been a decided improvement.

Q. Now will you compare the condition of the thoroughbred horse in Canada 20 years ago and now, has he improved?—A. There is no comparison. I have been judging thoroughbreds in Canada, in the shows, for a great many years and I have noticed during the last few years a very decided improvement both in the number and quality of the horses.

Q. What I understood the chairman to ask you was, or rather he intimated that his idea of the evidence which you had given up to the time he was examining you was that there was no improvement in the thoroughbred horse in Canada by reason of racing or otherwise?—A. Well, I did not take that meaning out of it.

Q. Is it not a fact anyway, in your opinion?—A. That there is no improvement?

Q. Yes?—A. Well, you know that is a very difficult question to answer.

Q. The chairman asked you this question—he said there has been racing in Canada for fifty years?—A. Yes.

Q. And he then said that racing had brought about a condition of affairs that had not improved the thoroughbred horse in Canada.—A. Yes.

Q. Is that correct?—A. No that is not correct. The improvement has not been nearly as great as I would like to have seen it because we have had to contend, among other things, with the foolishness of our farmers in breeding their mares to standard bred horses, to cross for trotting speed.

Q. But there has been a very marked improvement?—A. Yes.

By the Chairman:

Q. That leads me to one more question. You have said in answer to Mr. McCarthy that there has been an improvement in the thoroughbred horse. Has there not been a much greater degree of improvement in the same time in the draft horse in Canada? A much greater improvement?—A. Yes; the reason of that is, of course, obvious.

Mr. MCCARTHY.—What is the reason?

By Mr. McColl:

Q. I think you said in reply to the chairman in effect that there had not been as favourable results from the breeding or the crossing of thoroughbreds on our common mares in producing the army horse, the saddle horse, and horses of that class, as there should have been.

Mr. MCCARTHY.—As he would have liked to see.

By Mr. McColl:

Q. As you would have liked to see. Is not this the reason for that, that on account of the rapid development in Western Canada we have had a large demand for work horses, heavy horses, and the prices for that class of horse have consequently been good so that our farmers have largely gone into the breeding of a class of very heavy horses instead of light horses.—A. That is quite true, not only is it due to the increased development of the west, but it is only some 16 or 17 years since, as most of you recollect, the bottom fell out of our horse market altogether, and very many, a majority of the farmers gave up breeding any kind of horses. The results of that was, they forgot that it takes 6 years to make a horse, there was a tremendous shortage of horses all over the continent, for the ordinary work of the country, and, of course, the draft horse, the horse that can move a load is the horse that is always in demand for industrial purposes. That horse is invariably in demand to-day, and consequently the farmer having a ready market for that class of horse at an early age, has devoted much more attention to him than he has devoted to the light legged horse of any kind.

By the Chairman:

Q. You as the chief veterinarian of the Dominion will please answer me this:

1-2 GEORGE V., A. 1911

has there not been in recent years a much greater degree of improvement in Canadian cattle, in Canadian sheep, and Canadian hogs, all of which have been bred without the bookmaking and the betting ring, than there has been in the thoroughbred horse.

By Mr. McCarthy:

Q. You do not mean that, Mr. Chairman.

The CHAIRMAN.—The question is quite pertinent I think.

Mr. MCCARTHY.—We do not eat the horse.

The WITNESS.—Just wait until I answer that question. I wish to do so with a full sense of my responsibility not only as Veterinary Director General but as Live Stock Commissioner for this Dominion, and I wish to say that with the single exception of the Canadian pig there has not been any greater improvement in the quality of our Canadian cattle or in the quality of our Canadian sheep than there has been in the quality of our Canadian light horses.

Mr. MCCARTHY.—We eat everything but the horse.

By Mr. Stratton:

Q. I understand you to say, Doctor, that while you think some form of betting necessary you do not consider that bookmaking is absolutely essential to successful racing?—A. Not at all.

By Mr. Sinclair:

Q. Would you describe very shortly, for the information of the committee the French system of betting on race tracks?—A. Well, there are a large number of booths. These booths are graded. You can bet five thousand francs at one booth, four thousand francs at another, and there are also two thousand, one thousand, one hundred, ten and five franc booths. Of course there are a very much larger number of five franc booths than there are of five thousand franc booths because the men who patronize the latter are few in number. There is a regular system. You buy a ticket on a certain horse. Say we take the five franc booth. That would be about the size of the bet I would make. Take a five franc ticket and you get a ticket with a number on it on a certain horse. It depends on the odds. The number of tickets sold on each horse is shown on a dial like the dial of a clock and you can see at once how many tickets there are on the horse that you bought and how many tickets there are on every horse in the race. If you have one ticket and there are five hundred tickets on the other horses, and your horse wins you get the whole less a commission of ten per cent, which is retained by the booth and then handed over to the government as it has a share in the transaction.

By Mr. McColl:

Q. In that system is there any way of betting on the second or third choice?—

A. Yes, make your own choice because you know your horses or you do not know them. You go and look at the dial and the horse that has got the most tickets on it is the favourite.

Q. But there would not be the same opportunity of the public speculating as there would be with a bookmaker, when a person would say: 'I would like to bet on such a horse for third or second place, &c.?'—A. No.

Q. In the system you have described is it always the field against the favourite and take your chance?—A. Yes. Of course you can buy more tickets.

Q. But there is not the same opportunity for the better to exercise his judgment?—A. I should have said that you can buy tickets on more horses.

Q. But in every case do you not buy for the horse to win, not to get second or third place?

By Mr. Martin:

Q. You can choose your horse can you not?—A. Yes, you buy your own horse. The horse has got to win for you to win.

APPENDIX No. 6

The CHAIRMAN.—If there are no more questions to be put to Dr. Rutherford, we will call the next witness.

By Mr. Blain:

Q. Dr. Rutherford, just one question. What change would you suggest in the law of this country?—A. In regard to the control of racing?

By Mr. Stratton:

Q. The control of betting on the race track?—A. You mean the control of betting on the race course.

By Mr. Blain:

Q. Everybody agrees that an evil exists, what change would you suggest?—A. I would suggest the Paris Mutual, that is the French system. I think it is the best and fairest and it eliminates the professional bookmaker entirely. That is my own personal opinion without any bias.

Witness discharged.

Dr. QUINN, Brampton, called, sworn and examined:

By Mr. Moss:

Q. You reside in the town of Brampton, county of Peel?—A. Yes.

Q. What is your business?—A. I am a veterinary surgeon.

Q. And have you been interested in light horse breeding for a number of years?—A. Yes, sir.

Q. For how long?—A. Twenty-five or twenty-six years.

Q. Is the county of Peel a prominent county in the light horse industry?—A. Yes, and always has been.

Q. Always has been. Have you been in the habit of importing thoroughbreds into that county?—A. Yes, sir.

Q. Can you give us an idea of how many you have imported there during the last twenty-five or thirty years?—A. Ten or twelve.

Q. I see some names of famous horses in a list given to me. Wyley Buckles and Tyrone. Are these your horses?—A. Yes, sir.

Q. And Judge Stears?—A. Yes.

Q. Benneret?—A. Yes, sir.

Q. Broadway?—A. Yes, sir.

Q. Jim Wasson?—A. Yes.

Q. Prohibition?—A. Yes.

Q. Citizen?—A. Yes.

Q. Woodbine and Woodburn?—A. Yes, sir.

Q. These are all your horses?—A. Yes, sir.

Q. Then there are a number of other stallions that have been imported and placed in the county.—A. Oh yes for sixty years?

Q. I see, War Cry, Ivanhoe and so on?—A. Yes.

Q. I have been furnished with a list of some thirty or forty of them.—A. Yes, fully that.

Q. And those were thoroughbred stallions?—A. Thoroughbred stallions, yes sir.

Q. Were they imported in connection with horse racing?—A. Well some of them were for sires of race horses, but a great many were used to improve the stock.

Q. And what has been done with these stallions in the way of breeding from them?—A. Well they were sold to the farmers and used in raising half-bred horses, remounts, and so forth, horses for all purposes, general utility horses. Most of them are in the hands of farmers.

1-2 GEORGE V., A. 1911

Q. Speak a little louder please.—A. They were mostly all, in fact all, sold to farmers.

Q. Sold to farmers and used by them for breeding purposes.—A. For breeding purposes.

Q. That is the stallions were?—A. Stallions, yes.

Q. And what has been the result in the County of Peel as a light horse county?—A. Well, we have bred the best horses. I think it has been demonstrated in the world. These horses during the South African campaign were put into service as soon as they landed at Cape Town, and went through to Pretoria and were handed back to the British government at the close of the war. We have horses that were bred in the County of Peel and purchased there by myself that accomplished that feat.

Q. That would be half-bred horses.—A. Half-bred horses.

Q. Raised from these stallions?—A. Yes, sir.

Q. And how much do you estimate has been received by the farmers from that source in say the last twenty or thirty years? A. Well, there has been a vast amount. It would be pretty hard for me to say on oath. I would like to give you just a guess of mine. In the last thirty years there must have been a number of horses sold so that they must have reached millions in money.

Q. It must have reached millions?—A. Yes.

Q. That would be several millions?—A. Yes. About I should say perhaps 400 or 600 horses a year—500 perhaps.

Q. A large number of them sold annually for harness horses?—A. Yes, general utility horses, half-bred horses capable almost of doing anything.

Q. And they average good prices?—A. Yes. I was offered one by a farmer the other day which weighed 1,720 lbs. It was Wylie Buckles' get.

Q. Was he available as a general utility horse?—A. General utility horse, you could hitch him to a carriage if you liked or if any heavy work was required he would be able to perform it.

Q. What do you say as to the effect of the use of thoroughbreds? Were you concerned in the buying of remounts for the British government during the war?—A. Yes.

Q. And are you still doing so?—A. Yes, when we get a suitable horse we buy it.

Q. And what do you say as to the thoroughbred racing stallion as an element in producing that class of horse?—A. As a sire do you mean?

Q. As a sire in the production of the kind of stock you want in the County of Peel?—A. Well, I think that the hot-blooded horses required among the farmers and all other breeds of cold-blooded horses—just merely standard bred—the thoroughbred is the only hot-blooded horse or pedigreed animal tracing to Oriental breeding. A mare might be sired by a draught horse but if she produces a colt that trotted 2.30 or better that would make the colt standard although he had a draught mother.

Committee adjourned.

TUESDAY, January 18, 1910.

The committee resumed at 7 p.m., Mr. Miller presiding.

The CHAIRMAN.—Gentlemen, while waiting for the attendance of some members of the committee, I might mention that there are some amendments to the bill that will be asked for; these are put in by Mr. Raney and it was thought that it would only be fair that the committee and the solicitors who are appearing for the different

APPENDIX No. 6

interests should know what these proposals are in order that they might be able to consider them. It is proposed to add these words to Section (c):

‘Or for the purchase or sale of information intended to assist in book-making, pool-selling, betting or wagering.’

That is making those offences. Then it is proposed to add again to Section (d), where it says ‘advertises, publishes, exhibits posts up, sells or supplies,’ &c., to add the word ‘prints’ after ‘advertising,’ and to add the words:

Upon any horse race or other race, fight, game or sport, whether at the time of advertising, publishing, exhibiting, posting or selling or supplying such news or information, such horse race or other race, fight, game, or sport has or has not taken place.

and to add these further paragraphs:

(e) Advertises, prints, publishes, exhibits or posts up any offer, invitation, or inducement to bet; or

(f) knowingly sends, transmits, delivers or receives any message by telegraph or telephone conveying any information relating to book-making, pool-selling, betting or wagering, or intended to assist in book-making, pool-selling, betting or wagering.

I think you will be able to catch the spirit of that well enough to answer your purposes. Now there is this further amendment, notice of which was given in the House when the bill was introduced, which does not in any way affect racing, the object of which is to remove the difficulty which police officers experience in getting into Chinese gambling places where doors are barricaded until the inmates have an opportunity of getting away:

Being the owner or other person, in control of premises occupied or used as a disorderly house, knowingly allows any contrivance whatsoever upon the said premises for the purposes of preventing, obstructing or delaying the entry of any constable or officer authorized as aforesaid into any such disorderly house or any part thereof.

Mr. RANEY.—Before the witness is recalled I would like to ask the committee to summon a couple of witnesses, not-perhaps for this week’s sitting because I understand this sitting will end on Thursday and perhaps we have enough witnesses summoned for this week, but for such other date as the committee may fix. The witnesses I refer to are Mr. Cumming, the Principal of the Nova Scotia College of Agriculture at Truro and the Hon. Adam Beck, who is in town, and probably the committee may want to call Mr. Beck this week. There is another matter I desire to speak of, with reference to the Niagara Racing Association, the Fort Erie track. The managers of that track are all foreigners, I read their names this morning, the secretary is a St. Louis man and the president is a Houston, Texas, man. Of course this committee has no jurisdiction to summon these men to appear before it, but it occurred to me it would only be fair to this Association to inform them in some way, either by telegraph or letter, that this inquiry is in progress, and that it is desired that they will attend and produce the books of the Association which are, of course, under the jurisdiction of this committee because the Association is chartered here.

Mr. McCARTHY.—Is it chartered by the Federal authority?

Mr. RANEY.—By the Ontario.

Mr. McCARTHY.—Then the jurisdiction is in the Ontario government.

Mr. RANEY.—I think it will be here, they are in Canada.

Mr. McCARTHY.—No, no.

Mr. RANEY.—Well, we will not argue that now at all events, but for all practical purposes we are in this position that we cannot compel the attendance of those men if they do not desire to attend, but we can compel the production of the books. I think it will be fair both to the men and to the Association that they should be notified that this matter is before the committee, and invited to appear and produce the books.

1-2 GEORGE V., A. 1911

Mr. Raney's request that Hon. Adam Beck be invited to answer before the committee was concurred in, Mr. Raney undertaking to communicate with Mr. Beck, it being understood that he would attend to-morrow or next day as suited his convenience.

Ordered, that Mr. Cumming of Truro be summoned to appear on such day next week as may be found most convenient.

Ordered, that the President and Secretary of the Fort Erie Race Track Association be sent telegrams, as suggested by Mr. Raney, informing them that the committee will be pleased to have them attend with their books if they choose to do so.

Mr. MEREDITH, K.C., requested that the Hon. Mr. Decarie, Minister of Public Works, who is the member for the county in which the Montreal Jockey Club is located be subpoenaed, that gentleman having informed him that he would like to give the committee any information he could, also that Mr. Silas A. Carpenter, Chief of the Detective Bureau, Montreal, be summoned to appear before the committee. Hon. Mr. Decarie could not, he intimated, be here before Thursday because of official business at Quebec.

Ordered that the Hon. Mr. Decarie be requested to attend on Thursday, or such later day as might suit his convenience.

Mr. McCarthy requests that Col. H. J. Grasset, chief of police of Toronto, be summoned to attend on the same day as Detective Carpenter.

Ordered, that Col. Grasset and Detective Carpenter be ordered to appear before the committee.

By Mr. Moss:

Q. I was asking you, Mr. Quinn, I think when the committee adjourned, about horse breeding in the county of Peel in connection with your experience with the South African war, and subsequently in buying cavalry horses for the British army. I would like you to go on and tell us about that, and what your experience was in that regard.—A. Well, we purchased a large number of horses for that purpose in the county of Peel, but I am sorry to say we were very far short of what we could have done; the demand was very much in excess of the supply. But all the available horses that were to be had we purchased and shipped.

Q. And did you get good prices for them?—A. Yes, sir. The War Office allowed one hundred and twenty-five or one hundred and thirty up to one hundred and seventy-five dollars. We got the amount that was allowed by the War Office.

Q. What do you say about the connection of the thoroughbred with horse breeding of that character; do you regard the thoroughbred as a necessary element?—A. I do, sir; most essential and necessary to cross on cold-blooded mares.

Q. That is the thoroughbred sire?—A. The thoroughbred sire.

Q. And for what qualities is that essential?—A. It depends upon the dam a good deal. If you cross a good strong mare with a thoroughbred horse, you get a horse fit for almost any job. I think I related before we adjourned that I had a horse presented for sale of 1,720 pounds by a thoroughbred horse. So that you see that a horse of that size and weight is capable of almost any job that you put him to.

Q. Do you look to the thoroughbred for courage and endurance?—A. Yes, courage and endurance.

Q. And stamina?—A. Yes, sir. There is nothing to equal it. No other horse in the equine line will equal the thoroughbred. They are the only pure bred horses in the world.

Q. Then what do you say, Mr. Quinn, as to the importance of racing to the maintenance of a thoroughbred strain?—A. Well, racing; you mean bookmaking, &c.?

Q. First of all racing?—A. Racing? Well racing, that is the point where the horse receives its education and training, and develops the best qualities by thorough hard training. If there is a weak link in the strain it breaks during training and is

APPENDIX No. 6

cast aside, and the harder the strain—the harder they are trained, the more weight they carry and the more they are handicapped—it demonstrates the quality of the animal to a greater extent. It is the only way you can develop the good qualities of a thoroughbred, by racing and training.

Q. Do you agree with what Dr. Rutherford said that if the thoroughbred is protected by racing he will develop?—A. I think so, sir, any horse will. The good qualities of any horse is developed by racing and training, the trotter or whatever kind you like. Exercise any animal and you will develop him, the muscles and the good qualities.

Q. And I suppose what we might call the mental cultivation?—A. Yes, sir. They get to know a good deal more than they get credit for.

Q. What do you say about the effect or the connection between racing and betting? What is your opinion, or have you had experience in that regard?—A. Well, I have had very little experience in betting myself. But racing or betting as it is at the present time is legal and people will go as you know and make their little bets and have something to interest themselves on the race. Well if you make that illegal the people will stay away from the races, they will not go where it is illegal to make a certain bet, and therefore that will interfere when it becomes illegal with the sale of the thoroughbred or the breeding. People will not enter into it and if they cannot get it it will interfere with the receipts, and if they have not the receipts to pay the premiums and the prizes they cannot carry on racing very well. As you say on the other side where it becomes illegal now the people stay away from those illegal games.

The CHAIRMAN.—Is there any one else who wishes to examine the witness?

By Mr. Raney:

Q. Just a question or two, Dr. Quinn. You have been for a number of years an importer of thoroughbred stock?—A. Yes, sir.

Q. Including anything but the racing strains?—A. The racing strains?

Q. Yes?—A. Just the racing strains.

Q. And you have imported as a commercial venture?—A. Yes, sir.

Q. And the horses that you have imported have been used, I understood from your evidence, to improve the stock of the neighbourhood in which you live, Peel County?—A. Yes, sir.

Q. And they have been used for that purpose?—A. Yes, sir.

Q. And very largely improved the stock of that county?—A. Yes, sir.

Q. So that Peel occupies now, you say, the position of the foremost county in Canada in that regard?—A. I think so.

Q. I think you said that or somebody said it in that regard?—A. Yes, sir.

Q. By reason of the importation?—A. We have produced the goods there and that should—

Q. And you have not made a failure of that business?—A. No, sir. The horses that went to England for the present Princess of Wales, the time the ladies of Canada presented her with the outfit here, were shipped from Brampton.

Q. As to what you said about betting, I suppose you, like Doctor Rutherford, are not an expert in that respect?—A. No, I am not.

Q. You were expressing an opinion as to what might happen. What you meant to say, I suppose, was that people who go to the race track for the purpose of betting, or for the purpose say of making a bet with the bookmakers, will not go there if betting is made illegal?—A. No, I do not suppose they would.

Q. The law making betting illegal would not interfere with your going to the race track?—A. No, I don't think it would personally.

Q. Or with the going to the race tracks of any horsemen who went for the purpose of seeing the races?—A. No, I do not suppose it would.

Q. Or for any one who went there because it was a great social event?—A. No, it might not.

By Mr. McCarthy:

Q. That I suppose whether the race track degenerated into a race course where 'skates' run only?—A. Certainly.

Q. Unless you have the best class of horses you would not expect the attendance to keep up?—A. I certainly would not.

Q. And unless you give large purses you do not get the best horses?—A. No, sir.

Q. And the Woodbine to-day does get the best class of horses in America?—A. They certainly do.

Q. And this year for about the first time it has attained that position, is that about correct?—A. That is right.

Q. You would not expect that unless that class of horses and that class of races were given to the public to make it the social event my friend Mr. Raney speaks about?—A. No.

Q. How are you going to raise your purses unless you have the attendance?—A. It cannot be done.

Q. And you have already said you do not think the attendance would keep up if there was no betting?—A. No, sir, I don't think it would.

By Mr. Blain:

Q. You have heard what Dr. Rutherford said this morning about shortening the number of days of racing?—A. Yes.

Q. Does your opinion coincide with his?—A. Oh yes, I think that will be all right.

By the Chairman:

Q. You say you have imported about 100 thoroughbred horses?—A. Oh, no.

Q. How many did you say?—A. 10 or 12.

Q. But you had handled 100, was it?—A. That was in reference to the South African campaign.

Q. But you have brought in 10 or 12 thoroughbred horses?—A. Sires.

Q. You brought them all from Britain?—A. No, sir, brought all from the United States.

Q. You have said that racing develops the thoroughbred horse?—A. Yes.

Q. It adds to its strength, endurance, general education and courage, &c.?—A. Everything.

Q. Would that be as well done in the steeplechase or in the hunt?—A. Well, of course, that is along the same lines.

Q. Which will better develop the thoroughbred horse, if your sole object was to develop the courage, the endurance and all those other qualities which you have mentioned as requisite in the horse which you prefer? What will bring about that result, the steeplechase and the hunt or the short running races on the flat held in Canada to-day; which would be the more effective in producing those results?—A. Oh, I think the long hard race, the steeplechase and the 1½ mile and the 1½ mile race would develop the greater endurance in the horses.

Q. That will test the endurance of the animal better?—A. Yes.

By Mr. McCarthy:

Q. Let us understand that, does the witness say that the mile and a quarter race or the steeplechase is the better? Is it the steeplechase as they have it at the Woodbine, that is what I thought he was talking about?—A. That is 2½ miles.

Q. You think that would better develop the stamina of the horse than the short flat race?—A. The steeplechase brings into operation different muscles. It develops the muscles of the back and the loin, a horse with a weakly constituted swayback would never in the world make a steeplechaser or carry weight across the jumps.

Q. Then a steeplechase is the greater test of endurance?—A. It is one of the great tests of it, because they carry a heavy weight, up to 165 lbs.

APPENDIX No. 6

By the Chairman:

Q. I was not speaking of the steeplechase as you have it at the Woodbine track, I was thinking particularly of the cross country race as they have it in the old country and following the hounds?—A. That is hunting, that is a different thing altogether.

Q. Is not the cross country race a steeplechase, is not that a hunt?—A. Oh, no.

Q. Will not a cross country race and hunting better develop a horse than the flat race on a course?—A. It develops them in a different direction. The flat race develops one set of muscle and the steeplechasing or hunting develops another.

Mr. Moss.—I do not think they can ride stallions to the hunt.

By the Chairman:

Q. Do you know whether they do ride stallions to the hunt?—A. Not usually.

Mr. Moss.—It is not permitted by the rules, I think.—A. No.

Q. To whom do you sell the thoroughbred sires you bring in?—A. I have sold them to Western men largely to farmers.

Q. But they are not used for racing purposes?—A. No, of course they might breed racers if they had the proper kind of mare.

Q. I meant to say they are not bought by race horse men especially for breeding racers?—A. No.

Q. Were the horses that you imported and sold for general utility horses the same sort of thoroughbreds that you usually find on a race course?—A. My idea of the kind of horse I want is that I want a strong hunter type, up to weight, good strong horse, well tried, with a good individuality, a good pedigree and a good performance.

Q. But I have heard it said by men who have a much greater knowledge of horses than I, and who probably have as great a knowledge on the subject as any of those here, that the style of thoroughbred horse you would use to produce good hunters and saddle horses, and in so far as thoroughbreds are used to improve the carriage horse, are not the stamp of thoroughbred you find on the race course; and that that kind you find there would not be a suitable horse for that purpose; is that right?—A. No, I do not think that is right. Of course there are some breeders who have been throwing individuality aside for speed lines, casting everything else aside, but for me I want a good looking horse as well as a race horse.

Q. I think we are getting to where we can understand each other. This horse bred for speed lines is not likely to be the horse to produce a good saddle horse and a good general utility horse is he—that is a horse bred for speed alone.—A. He might possibly be all right.

Q. He might possibly, yes, but as a general thing, is he?—A. There are some very fine performers that are not what we call very good lookers, and then again sometimes we find good lookers and good performers at the same time.

Q. I am not asking you that at all, if you will kindly notice what I do ask you, that is that the horse bred for speed alone is not the horse that is the most likely to produce good saddle horses, hunters, good cavalry horses and good harness horses, is he?—A. Not as a general thing.

By Mr. McCarthy:

Q. Is there any such thing as a thoroughbred bred for speed alone? A. I could not say that I have any knowledge of a horse bred for speed alone.

By the Chairman:

Q. Would not a horse bred by Mr. Seagram, for instance, for racing, be bred with the idea of getting speed alone?—A. No, not necessarily, he likes to get as good-looking a horse as he can.

Q. His primary ideas would be to get speed, would it not? Surely Mr. Seagram's sole idea, while he would sooner have a King's plate winner that is a good-looking horse than one which was not good-looking, yet his main idea in breeding horses is

1-2 GEORGE V., A. 1911

to get a horse that will cover the distance in the least possible time and win the plate?—A. Yet at the same time you will rarely see him having a bad looking animal, he will usually have a good looking horse.

Q. You have told us that a horse produced by one of the thoroughbred horses you brought here weighed 1,720 lbs.?—A. Yes.

Q. And that these horses produced by thoroughbred sires are fit for almost any-purpose?—A. Yes.

Q. And they are all round valuable horses?—A. Yes.

Q. The question I want to ask you is whether the thoroughbred horse capable of getting such stock requires the assistance of the book-maker or the professional gambler to make him worth his money as a sire?—A. I do not know that I quite understand you.

Q. Then I will repeat the question because I am determined that you shall understand it.—A. I am willing to understand anything that you ask.

Q. My question is this: whether in your opinion a thoroughbred sire that will produce a good all round utility horse, fit for almost any purpose—whether a sire so valuable as that and capable of producing such stock as that needs the encouragement of book-makers and gamblers to find him a market or to give him a value in the market.

Mr. McCOLL.—That is you would need to have a book-maker to bet on him to get a good colt.

By the Chairman:

Q. I want you to answer that question.—A. I don't know that I can get the drift of it.

Mr. MCCARTHY.—I do not think the gamblers help the sire.

The WITNESS.—No, I do not think they do.

The CHAIRMAN.—I am going to have an answer to this question. Mr. McCarthy, and you may talk for an hour if you like. (To the witness.) To the question I have asked you should be able to answer yes or no.

The WITNESS.—Yes, sir, I am not trying to evade you, not knowingly.

By the Chairman:

Q. I would not insinuate that. I am asking you whether or not a thoroughbred sire capable of producing such horses as you say he will produce, whether he needs the assistance of a book-maker, or the encouragement of the gambler, or even of the race track to give him intrinsic value and make him worth his money in the world.—A. It would depend largely on the kind of mares he was bred to.

Q. No, it does not. I think you are trying to evade the question now.

Mr. BLAIN.—Mr. Chairman, I think that Dr. Quinn should have the opportunity to answer the question as he wishes to answer it with all due respect to your decision.

The CHAIRMAN.—I think he can give a definite answer.

Mr. BLAIN.—I think he will give a definite answer.

The WITNESS.—I am not trying to evade your question. It would depend largely upon the class of horse he was bred to. If bred solely to thoroughbred mares and if the producer of those foals would have to sell them to men that intended to race them—

By the Chairman:

Q. Supposing we took that thoroughbred sire and put him at the repository in Toronto for sale and he is sold there, now, will he not, if the public who are there to buy, know what he is capable of doing, will he not because of what he can do as a sire, bring his money?—A. Well, if a breeder of thoroughbreds gets that horse then it would make a difference about the book-making. If there was no racing the horse would be deteriorated and depreciated in value. It is the racing and the book-making

that enhance the value of the strictly thoroughbred horse. In the case of a hunter or half-bred the book-making has nothing to do with it.

The CHAIRMAN.—I am sorry that you take so long a time, Dr. Quinn, to answer the question.

Mr. McCOLL.—I think I understand what you mean. You have a particular set question there to which you desire him to say yes or no so that an argument may be made on the point. I think I can get the information out in a moment or two.

The CHAIRMAN.—I will be very glad if you can.

By Mr. McColl:

Q. Mr. Miller's first question is this: Would it be necessary for one of the stallions that you imported to have the assistance of a book-maker or a race track in order to make him a valuable horse? That is about the substance of the question although perhaps not in the same exact words. Would it be necessary to develop the horse and bring him up to the standard at which he was when you bought him to have that horse raced or tried or his ancestors raced or tried.—A. Yes, sir.

Q. Then the racing in other words develops the horse.—A. Certainly.

Q. Then, if you were buying him, you would pay attention to his racing record or the racing record of his ancestors?—A. Certainly, both.

Q. And do you know, as a matter of fact, that when the governments of Russia, France or other countries go to England to buy a horse for government purposes, if they can buy a Derby winner that is what they buy?—A. That is what they pay their hundred thousand dollars for.

Q. And the horse that was mentioned here for which the sum of \$187,000 was paid, Flying Fox, was a Derby winner?—A. Yes, sir.

Q. And Ard-Patrick was a Derby winner?—A. Yes, sir.

Q. And Galtee-More was another Derby winner?—A. Yes.

Q. In other words, the Derby winners are the horses that bring the best price and are purchased by other governments for breeding purposes to improve the horses of the country?—A. Certainly, sir.

By the Chairman:

Q. Now, Dr. Quinn, that has nothing to do with the question I asked you at all. What I want to know is this: You have, for instance, a blooded horse?—A. Yes, sir.

Q. Now, any farmer knows what a blooded horse will do as a sire?—A. Yes, sir.

Q. He knows what he can expect from a good looking blood horse; he knows what purpose he can put him to. Now, if a man desires to breed hackneys, cavalry horses, and such all-round useful horses, as you say—and I think say correctly—can be got by a thoroughbred sire of good stamp, if I want to buy that kind of horse, why will he not be a valuable horse, aside altogether from the race track, because of the stock he will be able to produce as a general utility horse?—A. Well, of course, his performance is the indication of his quality and endurance and what he has been in the past. There are some horses, you know, that are strictly thoroughbred, and yet are what is known as duffers or no good at all; they do not seem to propagate themselves. Racing is the gauge you have. There is no way of knowing the good qualities of the thoroughbred except through the trials of their speed, endurance and courage that take place on the race track.

Q. Now, I think we understand each other. Do you think that while that horse is a good looking, well formed thoroughbred animal and looks like a valuable horse, yet if he has speed it really adds to his value?—A. Yes, sir, that is how you determine his value.

Q. That is one of the ways by which you determine his value?—A. That is the principal way. Now, the King of England had a fine looking horse, one of the finest looking he ever bred, a horse called Loyalist, and when they came to try him he was

utterly no good at all. There were three or four others from the same mare, the same source, that were good horses. They found that out when they came to try them.

Q. Of the eight or ten thoroughbred sires that you imported, what was the average price you got for them?—A. Oh, I have got all kinds of prices. They are generally all broken down, you know. Of course, they are raced while there is any race left in them, but, although good for breeding, they are disabled for racing purposes. We get all kinds of prices, from \$500 to \$1,000, or perhaps more.

Q. Had any of the eight or ten horses you handled speed records?—A. They all had speed records. I never bought a horse in my life that did not have a good performance.

By Mr. Sinclair:

Q. Doctor Rutherford told us that few civilized countries in the world were as backward as Canada in the breeding of thoroughbred horses. What, in your opinion, is the reason we do not make more progress?—A. Well, the farmers in the past—of course, we had them breeding thoroughbred horses in Canada for fifty or sixty years, I suppose, and the farmers or breeders have been selling their good mares just as readily as they would a gelding. They have not been retaining their good stock. When a good offer came along they sold their mares and took the money.

Q. Where do these good horses go?—A. Well, they go to the wealthy centres in Canada—to Montreal and Toronto and the other side.

Q. Then they do not stay in Canada?—A. On the other side they go where there is a desire for that kind of horse—where there are hunt clubs.

Q. Are many of our best horses drawn off to the United States?—A. Do they go to the United States?

Q. Yes?—A. The best of them that are bred in Canada at the present time go to the United States. They pay more money for them, and there is a better demand for them in New York. Of course, that city is the principal horse market on this continent.

Q. Are you in favour of this Bill?—A. Well, if it comes in contact with the farming community or the horse breeders, I would not be.

Q. But you have not made up your mind about that?—A. If it depreciated the value of our best asset, I would certainly make up my mind very readily.

Q. Can you suggest anything to the committee that would lessen the evil and still retain the breeding of thoroughbreds as a business?

Mr. McCOLL.—Do you know of any evil, first?

By Mr. Wilson (Laval):

Q. Did you ever study the Criminal Law?—A. I never did, sir, never studied it, I try to keep away from it as far as possible.

By Mr. Sinclair:

Q. I want to put it plainly. Do you think the prohibition of bookmaking would materially injure the breeding of thoroughbred horses in Canada?—A. I think it would, sir, because it prohibits betting when you prohibit bookmaking.

Q. I only want to get your opinion of it?—A. Yes, I think it would, judging from what I have seen.

By Mr. McCarthy:

Q. The Chairman's idea was that the horses, thoroughbred, highbred horses, which are developed for speed, are not the same well set up, good-looking horses, have you any knowledge on that subject?—A. Oh, some of the speediest horses I have ever seen were some of the best looking ones.

Q. Such a horse has—do you remember 'Disturbance'?—A. Yes, sir.

Q. Was he a fast horse and a good looking horse?—A. Yes, a good looking horse.

Q. And do you remember 'Martinmas,' owned by William Hendrie, who won the Blue Ribbon of the American turf, what kind of horse was he?—A. A splendid looking horse.

Q. And do you remember 'Orpheus,' owned by Mr. Seagram, what was he like?—A. One of the finest horses in Canada.

Q. And do you remember 'Fort Hunter,' owned by Mr. Dymont, what was he like, for general utility purposes?—A. A good looking horse.

Q. How would he be applicable to the situation you have described—breeding light limbed horses for cavalry purposes?—A. He would be all right.

Q. And you know 'Saragossa'?—A. Yes, sir.

Q. What kind of a horse was he?—A. A fine horse.

Q. He was also owned by Mr. Seagram?—A. Yes.

Q. Did he improve the stock in Canada?—A. Yes.

Q. And what would you say of every one of those horses I have named, 'Disturbance,' 'Martinmas,' 'Orpheus,' 'Fort Hunter,' and 'Saragossa,' have they all improved the breed of horses in Canada?—A. Yes.

Q. And they are all owned by Canadians and purchased at large prices?—A. Yes.

Q. Now, does or does not the fact that you get at the race tracks the best horses on the continent stimulate the breeding of thoroughbred horses in Canada?—A. Yes.

Q. And these horses that come—for instance I recall to your mind the horse 'King James,' one of the best horses in America?—A. Yes.

Q. And I recall to your mind the horse 'Minnie Adams,' another of the best horses in America?—A. Yes, I know them all.

Q. And do you think if we had them here it would improve the breeding generally?—A. It certainly would.

Q. Now, does the fact that they are brought here by these races such as we have at the Woodbine, stimulate, or does it not, the breeding of horses in Canada?—A. It certainly does.

Q. It certainly does?—A. Yes.

By Mr. Raney:

Q. Did you buy any of your thoroughbred sires from Mr. Seagram or Mr. Hendrie?—A. Never, sir.

By Mr. Moss:

Q. The King's Plate was spoken of, that is a 1½ mile race?—A. Yes.

Q. That is a long distance race, as races go, is it not?—A. Yes.

Q. That is a thorough test of the endurance, the courage, the stamina, as well as the speed of the animal, is it not?—A. Yes.

Q. Speaking of the Woodbine, how are the length of the races at the Woodbine on the average, are they good races?—A. They average the same as any other races on the continent, about the same average.

Q. They have a good proportion of long distance races and steeplechases?—A. Yes.

By the Chairman:

..

Q. Do you know anything about the length of the running races in England?—A. No, I know nothing—they are just about the same as here.

By Mr. McCarthy:

Q. That is about the same as they are at the Woodbine?—A. At the Woodbine.

Witness discharged.

1-2 GEORGE V., A. 1911

Major WILLIAM HENDRIE, Hamilton, called and sworn:

By Mr. Moss:

Q. You are a son of the late Mr. William Hendrie?—A. Yes.

Q. The proprietor of the Valley Farm breeding stud?—A. The estate is, of which I am the manager.

Q. Your father was the proprietor for a number of years?—A. Yes.

Q. And you have been familiar with the breeding of horses on that estate since your boyhood?—A. As long as I can remember, yes.

Q. And was that an extensive breeding farm?—A. About 430 acres.

Q. How many horses, about, as a rule?—A. Father left a large band of mares as well as a five furlong race track and the whole complete equipment for carrying on a breeding establishment, valued in the neighbourhood, we believe, of about \$100,000.

Q. And your father during his life, and since his death the estate has raced the horses.—A. We have not raced them.

Q. You have not raced them since his death?—A. No, we have just bred them.

Q. You have just bred them?—A. Yes.

Q. But during his lifetime, he was, as we all know, a consistent racer and breeder?—A. Yes.

Q. And what is your opinion in regard to the necessity of racing as an adjunct of breeding?—A. It is most essential that the animals from which we are to propagate the thoroughbred horse, should be tested for their constitution, for their speed, and their stamina on the race course; there is no other way to get the best results, or the best qualities out of them than in that way.

Q. And what is the practice, taking a breeding stable like yours, in regard to the breeding and racing, if I make myself clear, is it something like this? You from time to time purchase stallions from England or from the United States for the purpose of keeping up or improving your stock?—A. Yes.

Q. And you breed these to your own mares?—A. To our own mares that we may buy for keeping up that stock, the female line.

Q. And the progeny you try out on the race track?—A. Father did that when he was alive, but since his death they have been sold.

Q. But I am speaking of the practice during your father's life?—A. Yes.

Q. Then the progeny were tried out on the race track?—A. Yes.

Q. And those of them that developed the qualities of speed and endurance were raced for a time, and then found their place ultimately in the stud?—A. Yes.

Q. And those found to be no good were weeded out and discarded?—A. Yes.

Q. Does that process tend to develop and improve the breed?—A. Does it?

Q. Yes?—A. Most certainly.

Q. That is speaking of the breeding of thoroughbreds alone?—A. Yes.

Q. Now what is your opinion on that, how does that affect the light horse breeding generally throughout the country?—A. Well, the use of thoroughbred blood on the ordinary farm mare throughout Ontario has a tendency to leaven up, as it were, the coarser qualities that you find in the large coach horse, or the large German coach horse, the Cleveland bay horse, or what is sometimes called the 'general purpose stamp,' the quality, the constitution and the general nice contour of the thoroughbred horse stamps his likeness on the progeny from that kind of stock.

Q. Is that opinion that you have just expressed as to the effect of racing on the thoroughbred and the effect of the thoroughbred on the horse generally, is that recognized generally throughout the civilized world?—A. Yes. Just at this minute I might give you an instance of what you asked me, the general utility?

Q. Yes.—A. Down at New York at the big horse show all Mr. Beck's horses won in their classes, all got by thoroughbred stallions. The champion hunter at the big show in London, England, was a Canadian hunter got by a thoroughbred horse. The highest priced Canadian half-bred horse ever sold was one purchased by myself up

APPENDIX No. 6

near Simcoe, got by a part bred trotting horse out of what they call up there a warm blooded mare with warm blood in her.

Q. That is a thoroughbred mare?—A. Partly thoroughbred with a thoroughbred cross in her. Sold in New York for five thousand dollars a few years ago.

Q. Are these facts recognized by other countries?—A. Yes.

Q. Are they recognized in England?—A. Yes.

Q. You know that of your own knowledge?—A. Oh, yes.

Q. And it is recognized elsewhere?—A. Well in foreign countries they—

Q. What countries do you know about?—A. Russia goes to England for the best of her thoroughbreds, Germany, Austria-Hungary and France. Mr. Belmont paid for Rock Sand last year \$125,000. He went down into Kentucky. The Argentine Republic bought Diamond Jubilee from the King of England. That horse went to the Argentine Republic last year. There are so many that I can hardly keep track of them and you will excuse me if I delay you while referring to my notes. Flying Fox, the horse which has just been mentioned went to France, and no later than last week the enormous sum of £56,000 was offered by an Argentine breeder for Bayardo. That you see represents almost \$300,000 but it was because the horse was of a very high class, in fact the highest class in the world.

Q. Was that price offered by the Argentine government?—A. No; I think it was by a private individual.

Q. Does racing exist in all these countries you have mentioned?—A. It does.

Q. And does some form of wagering exist in all those countries?—A. It does.

Q. And it is permitted by law?—A. Yes.

Q. And is it recognized in those countries as something that the people desire to have in connection with racing?—A. Yes.

Q. And what, in your opinion, would be the effect upon racing, and through racing, on horse breeding in Canada, if wagering on a race track is prohibited?—A. —It would take but a year or two when the thoroughbred interests throughout this country would be eliminated. To answer that question more fully, I might perhaps illustrate. In the early days of the Ontario Jockey Club the King's Plate was fifty guineas, given by the late Queen Victoria. From those days it has grown up to a value of \$5,000. Well, it naturally follows that if that is eliminated, if the clubs are not able to give this money or advance with the times, the thoroughbred interests must stop. The people who are in it for breeding are surely not going to keep on when they see nothing but disaster and no demand for the stock ahead of them. Then the clubs, I fear, could not give any such money if there is not some system of speculation allowed, where their patrons, the respectable people who go, can go unmolested. Might I add that of all the countries in the world the only country that did not permit betting was Japan, and they stopped it for a year. Now they have a commission travelling through all the European countries to get evidence by which they intend to legalize it and have some sort of speculation under government control. There are a few states in the country to the south of us who have prohibited betting altogether. New York, Illinois and Kentucky, the home of the thoroughbred, have state legislation, and last week the Supreme Court handed down the decision that auction pools and Paris Mutuels were to be legalized by the state.

Q. To your knowledge, has that legislation in the United States had an injurious effect on the horse breeding establishments there?—A. Most certainly. Go to Tennessee and Kentucky. I had a chat with a friend of mine who had been staying down there for a few weeks, and where there were formerly perhaps five farms of thoroughbreds and trotting horses—because that by-law in New York affects all these—there is only one. Where there were perhaps one hundred brood mares there are now ten. Since that legislation went into force in New York state there has not been one single good imported horse come into the United States, but they have been going out by thousands to France, Germany, Russia and Argentine. Mr. J. B. Haggin, Rancho del Paso Farm, California, had a good farm of between six and seven hundred mares;

they are all gone. Milton Young had a large farm of about four hundred; they are all gone but thirty or forty. The Mill Stream stud, who imported at a very large sum of money from Great Britain a horse called Adam, son of Flying Fox—they gave eighty thousand dollars for him—when this legislation came on, shipped that stallion and all the mares to France or sold them. The studs that have been wiped out are innumerable in number.

Q. Do you know the Rancocas farm in New Jersey?—A. I understand that the Rancocas is still going, but in diminished numbers, and they do not have any sale there. There was a sale last fall, and I understand that part of the establishment is in Canada up near Cobourg, with fifteen or twenty mares and a couple of stallions.

Q. So that the banishment there has resulted in some benefit to us?—A. I hope so, at any rate, in that district.

Q. Take those stallions, Mr. Hendrie, that we have been speaking of—those high-priced horses like Flying Fox—would those horses have acquired their position in the world as sires and would those prices have been paid for them had they not raced and been winners on the race course?—A. No, no, assuredly not.

By Mr. Raney:

Q. Are you interested in the Ontario Jockey Club?—A. I am.

Q. Do you and your family have a controlling interest in the Club?—A. No.

Q. Will you mind telling me how many shares you and your family control?—

A. Is it right I should?

Hon. Mr. STRATTON.—There is no harm in it.—A. The family have 28 and I have 5.

By Mr. Raney:

Q. Out of a total of 100?—A. Out of 100. Is that right, Mr. Fraser.

Mr. FRASER.—That is right.

By Mr. Raney:

Q. What is the par value of those shares?—A. \$100.

Q. What is the present value?—A. I could not say.

Q. Have you heard of any recent sales?—A. No.

Q. Have you heard of any sales within recent years?—A. Yes.

Q. At what price?—A. The last sale that I know of was of one which belonged to my brother-in-law, Major J. D. Hay, and when he died it was transferred to his widow. The returns were so small, \$10 a year, to Mrs. Hay that the estate took over from her, because we thought the money would be of more use to her and we gave her \$1,000 for it.

Q. Do you know where shares can be bought?—A. No, I do not.

Q. Would you sell your own shares?—A. No.

Q. Do you know what the assets of the Woodbine Club are worth?—A. I do not know.

Q. Are they worth in excess of a half million dollars?—A. No.

Q. Do you know what the assessment is?—A. I do not.

Q. I have a certified copy here showing it is \$220,000. Do you know that a share in the Woodbine cannot be bought for \$3,000?—A. I do not.

Q. Do you know where you could buy one for \$3,000?—A. No, I do not; I have not been looking for any.

Q. If you were do you know where you could buy one?—A. I could not say.

Q. Are you interested in the Hamilton Jockey Club?—A. I am, unfortunately.

Q. What is your interest there, or the interest of the family, the estate?—A. I have 6 shares, and the estate have 7, and I think my two brothers have one each, and the money has been there for 15 years and I have never seen any return from it yet.

Q. Does the Hamilton Jockey Club pay a dividend?—A. Not that I have seen.

APPENDIX No. 6

Q. But the Ontario Jockey Club does?—A. Yes.

Q. Ten per cent on the par value?—A. Yes.

Q. Have you heard any estimate of the value of the assets made, its paid up stock is \$10,000 and its assets are some three quarters of a million, are they not?

Mr. MCCARTHY.—That is hardly a fair way of putting it. If the value of the assets are what you say, \$500,000 or \$750,000, that is not a large amount of dividend, because the \$1,000 paid in dividends is a small amount considering the large investment which the institution has.

Mr. RANEY.—I am pointing out that the witness says the Club pays a 10 per cent dividend.

Mr. MCCARTHY.—I am not complaining about what the witness stated, I am complaining about Mr. Raney arguing in his cross-examination and saying that the club is paying a dividend of \$1,000 on \$100,000 capital; the capital is really \$20,000, of which \$10,000 is paid up, and the reserve or investment of the club is, according to Mr. Raney's statement \$750,000, so that in reality the \$1,000 is on the \$750,000, it does not work out in the way in which he puts it.

By Mr. Raney:

Q. Have you heard any estimate of the value of the Woodbine Club's assets?—A. Well, different people have hazarded ideas as to what the real estate was worth, but not living in Toronto, and not being on the Board, and I have not been, unfortunately, at the last two meetings of the Jockey Club, I am not as conversant with it as I might be.

Q. What was the estimate that you have heard?—A. The estimate of the land was in the neighbourhood of \$300,000.

Q. That is on 60 acres of land, and that Club also owns, I am told—

Mr. MCCARTHY.—It is 80 acres of land.

Q. We will come to that presently.

Hon. Mr. STRATTON.—Have not those profits largely been made out of the extreme growth of the City of Toronto.

By Mr. Raney:

Q. What did the Woodbine Club pay for its real estate?—A. For its present real estate?

Q. For the present site of the track, what is known as the Woodbine property?—A. Well, I am not sure on that point, but I think it was in the neighbourhood of \$150,000.

Q. That is what I understood, and the rest would be unearned increment in the value of the property, and that \$150,000, less the \$10,000 capital paid in, represents the profit of course?—A. I suppose so.

Q. Certainly. Now the Club also owns, I am told some real estate in the township adjoining Toronto.—A. I understand so.

Q. That was recently purchased?—A. Well, within the last three or four years, I think.

Q. At what price?—A. I do not know.

Q. You never heard?—A. I have never seen it.

Q. Well Mr. Fraser will tell us about that I suppose. Do you know whether there is a cash surplus besides?—A. I believe there is.

Q. Do you know the size of that?—A. No.

Q. Then we were speaking of the Hamilton Club that is not such a profitable venture?—A. So far, not to me.

Q. Are you connected with the Fort Erie track?—A. No, sir.

Q. Have you ever been?—A. No, sir.

Q. Or has the estate ever been?—A. No, sir.

Q. Or your brother, was he?—A. Which brother?

Q. Was one of your brothers connected with it?—A. Is he at present?

Q. Was he ever connected with the Fort Erie track?—A. At one time he was.

Q. I understand he owned it before the sale to the present proprietor?—A. I do not think he ever owned it.

Q. He had an interest in it?—A. Yes.

Q. A large interest?—A. Yes.

Q. Which brother was that?—A. George.

Q. The one who lives at Detroit?—A. At Windsor.

Q. And he is president, I think, of the Windsor Track Association?—A. Yes.

Q. Are you interested in that association?—A. No.

Q. Or is the estate?—A. No.

Q. And you are strongly convinced that if bookmaking were to be eliminated the race tracks would perish, as they have perished in other countries. When you spoke of the disasters in the American States were you speaking on your own knowledge?—A. On my own knowledge?

Q. Yes?—A. Of what I heard and read in the newspapers.

Q. Have you visited those different parts?—A. No.

Q. You were speaking on reports that have come to you through different sources?—A. Yes, and from people that have been there and say that the farms are no more.

By Mr. McCarthy:

Q. Were the sales of those breeding farms that you have spoken of advertised in the papers?—A. Those stock farms?

Q. Yes?—A. Yes.

The CHAIRMAN.—Does any one desire to ask the witness any further questions?

The WITNESS.—Might I give some testimony in reference to the value of horses from a military point of view?

Mr. MOSS.—Certainly, that is if the committee have no objection.

The WITNESS.—Might I give information as regards the value of the horse from a military point?

Mr. MOSS.—Yes, if the committee has no objection.

The WITNESS.—At least twelve years before the South African war broke out I used to buy a considerable number of artillery horses and cavalry mounts and ship them over to the old country. The horses they wanted was something with a bit of blood in it, not too tall and with a good rugged constitution. I used to go to get those horses in sections where the thoroughbred horses had travelled. Then when the South African war broke out, having some knowledge in the western part of Ontario of how to purchase these horses, regularly and in sufficient numbers, offered my services to the government free of charge to facilitate them in getting the cavalry mounts for troopers, and I had the pleasure of buying the first fifty Canadian horses that mounted our troops that went to South Africa. Now that country was a great consumer of horses and in the old country they could not begin to get them, outside of a few subsidized bus horses from London, Manchester and Birmingham. The number of horses was quite inadequate to fill the wastage and the British government began to turn around and see where they could get these horses. They were shut out from all the European countries. They tried Austria-Hungary, but they were only there a short time when the remount officers were ordered out of the country. Then they went to Burmah, a British dependency, and got a few wretched ponies. Next they cast their eyes upon the United States the only place where they could get a sufficient number of horses to mount their own men. They came to Canada and they bought as many as they could but not nearly as many as this country should have been able to contribute. In fact there was one firm in St. Louis who purchased more horses and handled more good British money than the whole of Canada realized for horses for the South African war. It was a big firm called Britten & Co.

Q. How were those people able to buy those horses?—A. Because through Montana and Missouri, and those south western States, blood horses had been used on their

APPENDIX No. 6

own common mares, these troop horses, or light cavalry horses, could be got in great quantities down there. It was a pity that more of them could not have been got in Canada. But history repeats itself and Great Britain may want horses again at some future time and I doubt indeed whether it will ever be allowed to go back into the United States to buy them. This is a grand opportunity for Canada to come forward and try and breed a few of these remount horses.

Witness discharged.

Col. LESSARD, Ottawa, called, sworn and examined:

By Mr. Moss:

Q. You are now Colonel in the Canadian Militia?—A. I am adjutant-general. I used to be a commanding officer of the Royal Canadian Dragoons, but am not at the present time.

Q. You were officer commanding the Canadian Dragoons for some twenty-five or twenty-six years?—A. Twenty-six years.

Q. And have you had to do with the purchasing of the cavalry horses for the Canadian government during that period?—A. Yes for fifteen years.

Q. And have you acted as judge at horse shows in connection with hunters and saddle horses?—A. Yes for the last ten or twelve years.

Q. At Toronto and Montreal, I believe?—A. At Toronto, Montreal and Winnipeg and the International Horse Show at London, England.

Q. You were over at London at the Olympia in 1907?—A. Yes, two years ago.

Q. Do you find at these shows when you examine and inspect horses that the high class horse, saddle, hunter and military classes show evidence of the infusion of the thoroughbred blood?—A. Most decidedly they must.

Q. They must?—A. Absolutely.

Q. Will you explain a little more fully what you mean by that?—A. Well, the more thoroughbred, the more quality, the more substance, the more courage. It is absolutely necessary in the best class of horse, it does not matter what class it is, especially in hunters and saddle horses.

Q. What do you say about military horses?—A. The same thing. If it were not the case there would be degeneration.

Q. If the thoroughbred stock ran down then all these classes of horse would run down with them?—A. Absolutely. You have seen evidence of that in our poor little province of Quebec. There is less thoroughbred blood in that province than in any other province. That is the place which is punished the most because the breed is almost nil. In Ontario they have been taking care of it and improving the quality. We do not think of buying horses for remounts in Quebec; except in a few instances we have to go to Ontario.

Q. Was your experience in that regard confirmed by your observation in South Africa?—A. I noticed the officers' chargers in the Imperial Service at the start of the campaign.

Q. You were all through that campaign?—A. I was all through that campaign. I was there eighteen months.

Q. With the Canadian Dragoons?—A. Part of the time. I was on the staff of Sir John French to start with and it was there I got my experience. I noticed that the officers' chargers at the start of the campaign were thoroughbreds. The experience was, and any horseman would know, the thoroughbred will outlast twice over any other less bred horse and necessarily—

Q. In buying remounts for the Canadian government you look for evidence of thoroughbred blood?—A. Yes. Invariably we have to.

Q. Do you regard the racing of the thoroughbred necessary to preserve the strain?—A. Of course, I heard Mr. Hendrie give evidence and I quite approve all he said,

that the best way to judge stamina is to test it. How can you test it otherwise than in a race of endurance? There is no other way. I quite approve of what Mr. Hendrie said.

Q. Would you agree with what he said that if racing was discontinued for a long space of time the strain would necessarily deteriorate?—A. The people who are at the present time a sort of philanthropic and besides care a little bit about the money side of it would not take the same interest as they have done heretofore I do not think. Their interest in racing and interest in the horses too, both combined together, make rather a happy combination.

Q. They go hand in hand?—A. I think so.

Q. Then, would you say it is necessary that in order that racing should exist as a stimulus and companion to the breeding that there should be prizes of good value to enable the breeders to keep up their stable?—A. Absolutely necessary in my mind. There is no man that will go and buy these famous horses at the big prices and go to the expense of training those horses and racing them for nothing but the love of it. I do not think anybody could afford it, no matter how wealthy they might be.

Q. And then would you say that it is necessary in order to maintain the price that there should be gate receipts?—A. My idea of that is that there are two ways of getting money, one is by having it under government control, if the government is prepared to do what France is doing, but as long as they cannot do that, in order to keep up racing, people must get their purses from somewhere. At the Woodbine last year there were \$100,000 in race purses and somebody must provide that money.

Q. Dr. Rutherford this morning spoke about the government in foreign countries giving premiums for racing, that takes the form of purses for racing, does it?—A. In France, if I am not mistaken. I am only speaking from memory, but an American officer went over and covered certain countries, he had to make a report to the War Office in the United States on the different ways of procuring and breeding remounts in the different countries, and he made a very interesting report after visiting France, Germany and Russia. He gives the number of horses there and very full information in reference to the matter and in his report he states that there are premiums given in those countries by the government for racing. I cannot remember the amount but I have the report at home and can refer to it.

Q. They were large amounts, were they?—A. I could not say as to that, but I know there are amounts mentioned.

Q. Purses are given for races for the purpose of encouraging the breeding of thoroughbred horses?—A. Absolutely.

Q. And if the government does not do that the purses must be provided some other way?—A. You must get the money somehow, and if the government does not provide it, how are you going to get it? It must either be by contribution or otherwise.

Q. You have heard what has been said about the public liking to have a wager on a horse race, or were you not present when that was discussed?—A. No.

Q. The question as to the relation of wagering to racing was discussed and it was said by some witnesses that where racing occurred and the public attended that the audience or a very large proportion of them liked to have an interest in the race and to have their wagers of more or less on the result of the race; and that if wagering were made criminal that the attendance would be so much reduced racing could not be conducted the same as it is now?—A. I think that is so, and I think that is borne out by the experience of the Ontario Jockey Club, according to what I have seen. There has been an attendance of 20,000 or 25,000 people in one day, and if that attendance was reduced as it would be I do not think they could keep it up. I know that I would not take any interest at all in the thing if I had not a little bet, although I do not bet very much.

Q. I suppose you think the same as I do, it gives you an interest in seeing one

APPENDIX No. 6

horse win more than the other?—A. I do not suppose I put more than a dollar on at a time.

Q. But you own that horse, for the time being, so to speak, by betting your money on it?—A. I *am* quite excited I know for the time.

Q. And you do not think that you are doing anything wrong in making the bet?—A. And I am not doing anything wrong either. I am quite certain of that.

Witness discharged.

Mr. RANEY.—It occurs to me that we might perhaps call Mr. Fraser, secretary of the Ontario Jockey Club formerly, in order that he may produce the books of the Ontario Jockey Club, and it will facilitate the inquiry if those books are left in the custody of the committee now, and then when we come to examine him to-morrow we would be able to very much shorten the examination.

Mr. MCCARTHY.—In the first place Mr. Raney is premature in his suggestion because the subpoena for the production of those books calls for them to be produced here to-morrow; it also calls for the preparation of a statement and an accounting back for six years, which it will take some time to prepare. The books are not here, they are in Toronto, and an endeavour is being made to have the statement prepared. In the second place, those books are not, unless the committee say they are to be left here, going to be left here as suggested by Mr. Raney to be investigated in that way. True, there are certain portions of those books that are necessary in evidence; that information will be given and will be sworn to and Mr. Raney will have the fullest right of cross-examination thereon.

The CHAIRMAN.—The statement must be verified by the books.

Mr. MCCARTHY.—That is if the books are held to be evidence and determined to be producible. But so far as the idea of an inquisitorial investigation is concerned I do not think you gentlemen of the committee will hold for a minute that the club should bring their books here to be open for the investigation of anybody and everybody. My clients have instructed me very strongly on that subject, they do not think it is right nor in the interest of the Jockey Club that it should be done, nor are the interests of the public involved in it.

The CHAIRMAN.—Possibly it will shorten what you are saying. Mr. McCarthy, if I say that it seems to me that these gentlemen having been subpoenaed to produce their books to-morrow cannot fairly be asked to produce them to-night, and the committee might perhaps determine to-night before they adjourn, what they think about the production of the books, and then that point will be settled for to-morrow.

Mr. A. E. DYMENT, called and sworn:

By Mr. Moss:

Q. You reside where, Mr. Dymont?—A. Toronto.

Q. At Toronto at present, but formerly?—A. Algoma.

Q. And you have been interested for a number of years in horse breeding?—A. —I have, yes.

Q. Where are your stables?—A. Barrie.

Q. And I think your father had them before you?—A. For 20 odd years.

Q. The 'Dymont Stables,' they are very well known?—A. Yes.

Q. And your stables are something of the same character as those described by Mr. Hendrie?—A. About the same, I should think.

Q. You have been breeding and racing thoroughbreds, as Colonel Lessard aptly put it, the two having been going hand in hand?—A. Going hand in hand, yes.

Q. Have you been importing thoroughbred stock into the country?—A. Very largely; spent large sums of money in it.

Q. Have you made any recent importations?—A. We imported about 12 or 13 of

the highest class brood mares in the world about ten months ago, and within the last two weeks we have imported a son of this great Flying Fox from England; the highest priced horse in the world Flying Fox was.

Q. What is the name of your horse?—A. Red Fox, the only son of Flying Fox on the continent.

Q. And you imported him and put him in your stud?—A. Yes.

Q. What do you say in regard to the improvement by the thoroughbred on the light horse; or first of all, are you familiar with the other branches of the horse trade—the hunter, the saddle horse and the carriage horse?—A. To a certain extent I have been used to horses all my life, all kinds of them, from the heavy Clyde horse used in the west to the race horse.

Q. What do you say as to the improvement produced by the thoroughbred strain?—A. I think there is no horse in the world equal to the thoroughbred horse; I do not think there is any blood equal to it to mix with almost any other class of horse in the world, even with the heavy 'saw log' horse. I would go that far almost. The half-bred horse is the best horse on the farm; and to show that I am right in this contention, I would say this—and any one who knows anything about farm work will recognize that this is a great thing in any part of the country—he will walk faster to market, he will go to the market and home again in about the same time that the Clyde horse will take to go to market with a load, whether it be of hay or anything of that kind; he will plough, I will venture to say, 50 per cent more land in a day than any other class of horse; he will live on one-third less; he stands more hardship; will work longer hours, is kinder tempered and less subject to sickness than any other horse in the world. I do not know that I can give any further information.

Mr. RANEY.—That is a lot.

The WITNESS.—It is a lot, and I am willing that you should examine me if you wish.

Mr. RANEY.—I have no doubt it is all true.

The WITNESS.—I might say, just to make it quite plain. We have been talking of some things that probably some of us do not understand to-day. I might just say that I come from a farming family. My father's people are all farmers—a large family of well-to-do farmers. Every one of them loves a good horse. I never knew one to abuse a horse. I have known my father to knock down a man with a logging chain, a driver who was hitting a horse. My father loved horses and would not see them abused. There is no Dymment, and there are dozens and scores of them throughout Ontario, who has not got a horse with some thoroughbred blood in them on the farm, would not have them. The best horse the family ever owned, and I have heard my father speak of it scores of times, was a dam sired by this horse Disturbance, a thoroughbred sire. It was the gamest horse, I think, ever raised in Canada, foreign or Canadian bred.

Q. You find the Disturbance strain all through the country?—A. For many miles round where he stood.

Q. What do you say as to the importance of racing in maintaining that strain?—A. I think that you cannot maintain the high standard of the thoroughbred without racing. I don't think there is any question about that. I do not think that any one who has pretended to make a study or read the matter up at all could say anything about that; that racing is the only way by which you can keep this high standard up. It extends the lungs; it hardens the bone, the sinews and the muscles of a horse, and gives it courage, just the same as it would in the case of a schoolboy. If you have a boy at school who stays about the school room during the luncheon hour, when the other boys are out playing and racing, he is not going to be much of a man, nor is not going to be of very much service in protecting our country if we ever need him. It is the same with a horse; you have got to race him and test him to develop the best qualities and keep up his high standard.

Q. As to the maintenance of a thoroughbred farm, is that an expensive business?

APPENDIX No. 6

—A. Well my father never went to the ledger where the stock farm accounts were, but he used to turn over a dozen pages at a time so that he would not see them. It was pretty expensive work, yes.

Q. Could you carry that on at all unless there were good prizes offered on the race course?—A. Well, he would have been able to but he would not.

Q. I mean without much more serious loss than he incurred?—A. No, it would be too much of a loss, he would not undertake it.

Q. And there would not be the interest in it I suppose?—A. Not at all.

Q. Then would you say, putting it shortly, that the maintenance of racing in the country is essential to the maintenance of the thoroughbred stock?—A. Absolutely to my mind.

Q. And that the abolition, or serious impairment of racing would seriously impair the light horse industry?—A. Quite right.

Q. Then what do you say with regard to the relation to wagering, do you regard the existence of some form of wagering as necessary?—A. I do.

Q. Would you explain your views on that a little more thoroughly?—A. Well, we have paid in the last few years very large sums of money for horses. We have paid \$7,500 for this horse, Fort Hunter. We have paid \$7,000 for Tom Gordon, we have paid \$11,500 for Kinleydale and now we have imported this horse, Red Fox.

We have paid large sums for thoroughbred mares imported from England and Kentucky. We could not afford to do that if we were not sure of good purses for the progeny of that stock to run for. Without the wagers on the track you certainly would have, as I will show you if I am allowed, a very diminished attendance on the race course and the revenue of the Jockey club would be very materially decreased so that they could not afford to give the purses that they do to-day and consequently we could not afford to pay these large sums for the best blood. We could buy cheaper horses but not the kind of horses, it seems to me, that those who are interested in the business in this country want to import.

Mr. STRATTON.—Will you let me ask a question?

Mr. MOSS.—Certainly.

By Mr. Stratton:

Q. Admitting all that is said with regard to horse racing and the production of the extra gate by good races, where are we going to find out, or who is going to submit, the evidence to establish whether the bookmakers are absolutely necessary and essential to successful racing? How much do these race tracks require from the 'bookies,' as they are called, or the bookmakers to contribute to the races to make them successful?—A. Well, Mr. Stratton—

Q. Wherein does it come, Mr. Dymont?—A. I do not lay so much stress on what the bookmaker pays to the jockey club—I do not know what that is, it may be little or much—but what I am trying to draw attention to is that the attendance would fall off and instead of there being ten thousand people on the race track on a certain day, you would probably find only two thousand and I suppose this lessened attendance would represent a shrinkage in receipts of seven or eight thousand dollars which the jockey club would not have available to give in purses.

Q. That is there would be a lessening of seven or eight thousand dollars in the receipts that come indirectly from the bookies to the jockey club?—A. No, that would be the falling off in gate money. I am not speaking of the revenue from the bookmakers. If you could not bet a dollar, or fifty if you wanted to, you would not take the same interest in the races and you would not go. There are thousands of people who would not attend and therefore the attendance would be that much less and the gate receipts would be correspondingly diminished. Consequently the jockey clubs would not have the money they have to-day to divide among us.

Q. In other words you mean to contend that there is not sufficient sport in two, or three or four individuals betting between themselves, but that the public would rather go to the legitimate, or illegitimate 'bookie' and take their chance in the

usual way?—A. I think so. I think they would rather do that. Of course there is a certain amount of that done to-day. I have done it myself on the track. I might meet you or Mr. McColl or some one else and say: 'I will bet you a dollar or fifty dollars.'

Q. Not me, but Mr. McColl?—A. Well I will say Mr. McColl if he does not object. He, or Mr. Meredith, or Mr. Miller himself might want to bet on the same horse that I did. It would be too much trouble to run about the track to find some one who would be willing to bet against you on a particular horse. Therefore if you wanted to bet you must go to some central place.

Q. Your opinion is that bookmakers are necessary and essential to successful racing?—A. I really do think so, I am perfectly honest in that.

By Mr. Blain:

Q. What proportion of those who attend horse racing make bets on the track while the races are in progress, in your opinion?—A. If I gave you anything it would just be a guess, Mr. Blain.

Would the proportion be large or very small?—A. I do not know. The most of the people I run across, nearly all of them at any rate have a little bet.

Q. Would one half of the people who attend the Woodbine races at Toronto make bets?—A. Yes, I think so.

By Mr. McCarthy:

Q. Have you any knowledge, to follow that up, from personal experience, on the bearing, before and after the passing of the anti-gambling law, with reference to the restrictions in New York State, as to the effect it has had on the attendance?—A. For fear this might slip my mind I want to just say that almost immediately after the Hughes' law went through in New York, one of the largest breeders in New York State, A. R. Thomas, a well-known man who had one of the largest establishments in that State, and he sold his mares, many of them he had paid \$5,000, \$6,000 and even \$10,000, and we could have bought them for from \$100 to \$300, that was the shrinkage in value of that stock to A. R. Thomas, and the same I would feel would be the result if this law passes with regard to shrinkage that would occur in my property, and I have upwards of \$100,000 invested in it. The proprietress of the Rancocas Farm, the establishment that has been spoken of here to-night, said that after the Hughes' law had gone through she considered that her property was not worth within a quarter of a million dollars what it was worth before. I have some personal knowledge with regard to the attendance at race tracks in New York State before it came into effect and after the Hughes' law came into effect. The year before it passed I was in Saratoga where the grand stand and paddocks were crowded, the grand stands were packed, there was scarcely a seat to be found and the paddocks were crowded with people. I was there the following year, after the Hughes' law had been passed, and there was not one-tenth of the people there. The grand stand was practically empty; and I was there again last year and found pretty much the same state of affairs, the attendance was a little better than it was the year before. I was also this summer at two tracks at other places in New York State and found the same thing; there were great big grand stands, that usually were crowded when they could make a wager if they saw fit, almost empty; there were not one-fifth of the people there.

By Mr. McColl:

Q. Would that partly be for the reason that the races were not so good on account of the purses being so small and consequently there not being so many horses engaged in them?—A. Well, possibly that was part of the reason, but the purses were kept up for the last couple of years pretty largely by private subscription, wealthy horsemen such as Mr. Whitney and Mr. Keen have contributed to different tracks \$5,000, \$10,000, \$15,000, and \$20,000, out of their own pockets in order to keep the purses at something respectable so as to induce the horse owners to run their horses

APPENDIX No. 6

there. But they cannot be expected to do that forever, and there is no one in Canada can afford to do that. If this bill goes through, unless we can do that, racing will certainly go down and the thoroughbred horse will deteriorate, and following that the light horse and the saddle horse will also go down.

By Mr. Moss:

Q. As a matter of fact, these purses were cut down?—A. They were cut down largely.

By Hon. Mr. Stratton:

Q. In other words, parliament must legalize betting in order to continue the racing?—A. Give me a chance to make a bet if I want to.

By Mr. McColl:

Q. Leave matters as they are, you say?—A. Yes.

Q. Now, Mr. Dymont, it is alleged, although we have had no proof of it yet, that evil has resulted from betting on the race course during the race meeting. Do you know of any evils that exist, we will say at the Woodbine, on account of betting that is practiced there?—A. I do not know of any. I have never seen a drunken man for instance on the Woodbine track in my life. I have never seen a scuffle or fight of any kind there. I have seen nothing but the best natured crowd having a holiday, enjoying themselves in the open air in the good old English fashion.

Q. And the police courts have not been filled with criminals who have committed offences there?—A. Not that I have ever heard of.

The CHAIRMAN.—I think perhaps we have taken the witness out of your hands, Mr. Moss?

Mr. Moss.—Not at all, Mr. Chairman, I was through.

The WITNESS.—The Chairman, Mr. Miller, whose judgment I respect very much, has asked Dr. Quinn some questions, I do not know whether he got the answer he wanted or not, but if he desires to ask me the same question I will be glad to answer him if I can.

The CHAIRMAN.—I will put the question all right.—A. Before Mr. Miller asks me that question I would just like to emphasize something that probably has not been brought out as much as I should like to see it developed. We have heard of large sums of money being paid for thoroughbred stallions. Now I do not believe there is any gentleman here, even Mr. Raney I do not believe would take the ground that \$187,000 would have been paid for 'Flying Fox' or \$105,000 for 'Ard Patrick' or \$150,000 for 'Ormond,' if they had not won the Derby or the St. Leger or some great stake like that. Now that simply goes to show that before these big prices were paid the horse must have proved himself to be a first class racing horse with lots of stamina, a big heart and courage ready to run till he dropped. The survival of the fittest is demonstrated with the race horse more than any other animal I know of. If 'Flying Fox' had never won a race instead of \$187,000 having been paid for him there wouldn't have been \$7,500 paid. We will not buy horses simply just for their breeding, they must have performed, and proved themselves to be good race horses on the track.

By Mr. Raney:

Q. Mr. Dymont, you, of course are very familiar with the Woodbine?—A. Yes, I have been going there for 20 odd years.

Q. There is a 13 days meeting held there in the spring and a 7 day meeting in the autumn?—Q. Quite right.

Q. Can you give me your estimate of the average attendance; it has gone as high as 20,000 on special days has it not?—A. On special days there might be 15,000 or 20,000.

1-2 GEORGE V., A. 1911

Q. Could you give me your estimate of the average attendance?—A. I suppose the average would be 4,000.

Q. I have heard it put at 5,000?—A. Probably, I think so.

By Mr. Moss:

Q. I find that Mr. Miller did put me out of my stride just a little bit, I have some other questions I wanted to ask Mr. Dymont which I had forgotten?—A. You could ask them, probably, Mr. Moss, after Mr. Raney is through.

By Mr. Raney:

Q. Then the admission money, I understand is \$1.50?—A. It varies according to the paddocks you go into.

Q. But every one has to pay \$1.50?—A. I did not think it was as much as that.

Q. You do not have to pay, perhaps?—A. Well, fortunately—I have had to pay, yes, I pay as a member.

Q. But you do not pay gate money?—A. No.

Q. Are you a member of the club?—A. Yes.

Q. You are not a shareholder, are you?—A. Yes.

Q. Are you a shareholder?—A. Yes.

Q. And you would estimate the gate attendance at 4,000?—A. I should think it was about that.

Q. On the average, we will take that for granted?—A. That is in the spring.

Mr. RANEY.—The admission fee is \$1.50, is it not, Mr. Fraser?

Mr. FRASER.—Yes.

By Mr. Raney:

Q. Could you tell me, Mr. Dymont, how many club members there are?—A. No, I could not.

Q. What is the annual fee?—A. I think I pay \$20.

Q. However, Mr. Fraser can tell us that too. Do you know about the betting privilege, how much the bookmakers pay?—A. No.

Q. You are not in a position to give us much information in regard to the club. Have you ever investigated to ascertain or not, apart altogether from the income derived from the bookmakers, if the income would be amply sufficient to pay attractive purses and still yield a revenue to the club?—A. I have not looked into that.

Q. Do you know the paper called the 'American Horse Breeder'?—A. I have seen it.

Q. That is a leading authority published in Boston?—A. I thought it was Chicago.

Q. Do you know it to be an authority on horse breeding?—A. No.

Q. You do not know that?—A. No.

Mr. RANEY.—I might say, Mr. Chairman, that I asked this witness about the Woodbine particularly to show the necessity in view of some questions that came, I think, from some members of the committee for the production of these books because we must evidently get this information in order to know the relation between the gate money and prizes, and the receipts from the privileges sold to bookmakers, and the other sources of income and expenditure of the racing association.

The CHAIRMAN.—Does anybody wish to ask Mr. Dymont any further questions?

Mr. MOSS.—I want to ask Mr. Dymont some other questions but if the committee wishes I will defer them until to-morrow morning.

The WITNESS.—You can go on with me in the morning if you like.

Mr. SINCLAIR.—You had better go on, I think.

By Mr. Moss:

Q. You are a director of the Canadian National Bureau of Breeding?—A. Yes.

Q. What is the object of that association?—A. The object of it is to disseminate

APPENDIX No. 6

throughout Canada first-class thoroughbred horses to mix with the cold-blooded mares of the country.

Q. And what course are you adopting to carry out that programme?—A. We are soliciting and getting thoroughbred horses given to us as a rule—in fact all that we so far have had have been presented to us. They are principally race horses that have sort of got beyond their usefulness as such, but are good horses for breeding purposes. These are scattered throughout the country where there is a demand for them. This work has been recognized in several provinces as of so much importance that the governments have given us subsidies to carry on this work, which I look up as one of the best that I was ever interested in. To-day we have petitions from over 20,000 farmers in Canada asking the Bureau to send thoroughbred stallions to their counties. To show you that the farmer is alive to the importance of having a stallion that has been a good race horse in their midst, I am told by the manager and secretary that he has had more applications from counties in Canada for Fort Hunter—the horse that I myself presented to the Bureau—than any horse they have ever had given to them because he is known and recognized and looked upon throughout Canada as one of the finest race horses we have ever had here. Thus showing that the farmer is alive to the importance of having a first-class race horse as well as just a thoroughbred.

Q. Then you look to the race courses for these stallions that you propose to supply to the farmers?—A. Quite right. All of them practically have been raced before we get them.

Q. How long has this association been in existence. It is comparatively new, is it not?—A. Yes. It has been in existence for a year and a half or two years.

Q. And it has demonstrated its usefulness already?—Ah yes, very much. It is looked upon, as I say, by the farmers as a splendid opportunity for them and the governments of several provinces have aided us. One province has spent quite a sum of money in sending to Kentucky and buying thoroughbred mares and scattering them throughout the province.

By the Chairman:

Q. Which province is that?—A. New Brunswick. The government of that province sent down to Kentucky to one of those sales of high class mares.

By Mr. McColl:

Q. They got them cheap?—A. They got them cheap. I might also say that the War Office in England looks upon this movement as the salvation of the Remount Department of Great Britain. Mr. Haldane, Minister of War, has written to us to that effect, and Colonel McLaughlin, who has charge of the remounts for the British government, the purchasing of them, has told us that if we will get this Bureau on a good footing with a proper class of thoroughbred stallions scattered throughout the country, the British government will place an open order for a million dollars of them the first year—those that have reached the age of four or five years—and after that an order for \$3,000,000, so that in time of peace and in time of war they can get all they want. Mr. Haldane, himself, says he looks upon this movement in Canada—the Dominion being a stock raising country and suitable for it and for the right class of thoroughbred horses—as the salvation of the remount question for the British government.

Q. That million, or three millions of dollars will go to the farmers?—A. Certainly.

Q. Who raises these horses?—A. No greater act of benefit could be done to this country than to get this movement started and thoroughly understood by the people; and without racing you cannot have the first-class, well-muscled, well developed thoroughbred horse that is required. I go further—

Q. Can you go on with that enterprise if this change in the law is made and betting on racing is prohibited?—A. No, I do not think so. May I just divert for a moment? There seemed to be a little question here when Dr. Quinn was being exam-

1-2 GEORGE V., A. 1911

ined. I think Mr. Miller, the chairman, asked if the horse that is raised for the race track alone was not a light horse and was not suitable, that that was not the class of horses they wanted for remounts and saddle and cavalry purposes. I think that was the question.

The CHAIRMAN.—Yes.

The WITNESS.—You rather thought, or had the impression, that the race horse was too light a horse.

By the Chairman:

Q. I will put it this way, Mr. Dymont: there are sometimes prizes offered in Canada for the best thoroughbred horses likely to produce good saddle horses?—A. Yes.

Q. Is the stamp of horse that obtains those prizes as a general thing, the class of horse that is usually found on the racing track?—A. I am able to answer your question this way, that last fall, in the city of Ottawa, a horse called Valjean, took the first prize for thoroughbred. That it took the first prize against horses of any class, Clyde, hackney, or anything for the improvement of these breeds of horses in Canada. That horse was one of the most prominent race horses on the Pacific coast a year ago.

Q. Now that is one instance, would you say that that was the rule or the exception?—A. I would say it is the rule. I have never—there is a wrong impression I think, Mr. Miller in your mind about a race horse being a rather flimsy sort of horse that would be of no use for anything but racing. 'Fort Hunter' is a horse that I suppose weighs 1,250 or 1,300 lbs., deep chested, with great wide quarters on him, that wide (illustrating) and a chest that wide (illustrating), just the stamp of horse that the British War Office would want to buy the get of for their remounts. He was one horse that I think Mr. Miller would have heard of as being one of the best horses Canada ever had. Then again 'Orpheus', one of Mr. Seagram's horses that has been spoken of here, was, a horse that would weigh 1,300 lbs., with great quarters and well muscled, there could not be a finer horse to look at, and he was one of the fastest horses we ever had in this country.

Q. How long since he went to the stud?—A. If you are going to run a mile, or $\frac{3}{4}$ th, or $1\frac{1}{8}$ or $1\frac{1}{4}$ miles you cannot breed the slender, that is the narrow chested horse with little narrow quarters on him, because he might run for a quarter of a mile or three-eighths and that is the last you will see of him; at the finish he will be away back in the dust and you will never hear of him. But the horse that has great wide quarters and strong shoulders, deep chest and great lung power, that is the horse that finishes well, and that is the stamp of horse that breeds the best remounts and the best saddle horse and hunters.

Q. Where are your thoroughbred stables?—A. At Barrie.

Q. Have the farmers around that locality the privilege of using any of your thoroughbred sires at prices at which they can afford to use them on their ordinary animals?—A. No.

Q. You have not sires of that class there?—A. No, sir, we sell them.

By Mr. McCarthy:

Q. The farmers all around there are buying your 'cast offs' which go all over the County of Simcoe, do they not?—A. Yes, I think the breed in the County of Simcoe has been improved very largely through that source in the last ten years. Might I also speak of a question which the chairman asked. I take it that his question was whether hunting was not as good a developer of horses as racing on the flat or over the jumps. I would certainly say no, not at all; hunting is a gait, you do not get any faster hunting than almost any horse which you would see on Sparks street would run. It does not develop the lung power, or the bone or the sinews. You can break a horse down on the flat, the tendons may give way because they are weak and it is a risk to race him, but after that you can hunt him showing that it is not as hard a test on the horse as the flat racing.

APPENDIX No. 6

Q. The reason I was asking you whether any of your sires stood for such a fee for service that any farmers could use them on ordinary stock was that I was wanting to follow that up by asking you whether the farmers in your neighbourhood appreciated thoroughbred horses sufficiently to use them?—A. No doubt they do appreciate them.

Q. They do?—A. Oh, yes.

Q. It seems to me as somewhat strange that if the people of New York State, where they have been using them for a much longer period than they have in Canada, have the same appreciation of the thoroughbred, that the value of mares purchased at from \$3,000 to \$10,000 apiece should, when the chances for gambling on the races were removed, have fallen in value to from \$100 to \$300?—A. No farmer could pay \$3,000 for a mare.

Q. No, but it seems to me that the farmer could buy for ordinary breeding purposes these extra choice mares which were offered at from \$100 to \$300?—A. You probably missed my point. I did not mean that the thoroughbred itself is the best farm horse, but that a cross between a thoroughbred sire bred to any Canadian mare, to the standard farm horse makes a splendid farm horse, an excellent delivery wagon and truck horse in the city besides good saddle horses and cavalry horses. There is no horse in the world to equal the horse with some thoroughbred blood in him, for almost anything, except for the heaviest kind of work, where it needs some kind of weight to go against the load in order to start it.

Mr. Moss.—We will give you to-morrow, gentlemen, evidence from Dr. Webster which I think will bear very strongly on the point you are inquiring about now. The Ottawa Hunt Club has, at the present time in its stables one stallion, 'Valjean' the horse that Mr. Dymont referred to, and also the well known stallion 'Kirkfield,' bought from the late young Alexander Mackenzie, and these horses at a given time are permitted to be used by the farmers throughout the county free of charge with the most gratifying results, Dr. Webster tells me, and he will tell the committee about it to-morrow.

The CHAIRMAN.—That is the farmers are willing to avail themselves of the services of those animals when given free?

Mr. Moss.—No, they appreciate the results and they are getting splendid results.

The CHAIRMAN.—As a result of giving the services free?

Mr. Moss.—Yes, well they charge \$10 as a fee, I think.

By the Chairman:

Q. Would you say that a large percentage who attend the races at the Woodbine and other tracks do so from a love of betting rather than from a love of horse racing?—A. No, I think it is a mixture of the two. I feel very keenly about this, and everything has been said just as I believe it.

Q. I am sure every one believes that, Mr. Dymont.—A. I have been going to the Woodbine ever since I was a boy at school—with my father's permission—but I can say that I have never seen anything there that a man would not see at a fall exhibition, in fact he would see far worse there than he will at the Woodbine.

By Mr. McColl:

Q. Do you see anything different in principle in a man betting with a book-maker or betting with another private individual?—A. Not a bit, it cannot be any different, if it is wrong the one way it is wrong the other.

By Mr. Sinclair:

Q. Is it a convenience to him, do you think to have the book-maker?—A. Yes, you know we are gambling every day of our lives.

By Mr. McCarthy:

Q. Is there not a greater temptation, an invitation to bet, if I go looking around to find the man who will bet with me privately than in the case of the book-maker.—

1-2 GEORGE V., A. 1911

A. The great trouble is that we do not have a large enough attendance at the race tracks of those people who really and conscientiously believe that the racing is wrong, we do not have enough of those people who go and see for themselves. I recall just this last spring that a minister had preached on the Sunday before the opening of the Woodbine races very strongly against racing and betting, and intimated he did not want to see his people going to the races. A lady in his congregation got him to go down to the Woodbine one day to see for himself, he sat in the box comfortably, and wandered around through the crowd as the races went on, and after it was all over he said, 'I really do not see what I was talking about, I do not see anything wrong here at all.'

By Mr. Blain:

Q. What do you say about shortening the number of the days racing.—A. I want to be perfectly plain about that. I feel there is something due to the feeling which is broadcast through the country, as represented here by Mr. Raney; there is a feeling, an antagonism to quite an extent against racing, and while I do not think that a 15 day meeting is too long in the case of Toronto, Montreal and Hamilton—

Hon. Mr. STRATTON.—15 days in the spring and 15 days in the fall.

By Mr. McColl:

Q. Seven days in the fall.—A. What I think has brought on this acute state of feeling is that some of those meetings have been running to 30 or 60 days, and while I do not think that fifteen days are really too long for a successful meeting in the spring and fall, as a breeder and one interested in race horses and racing them as well, if the committee feel in their judgment that it is right to reduce the time and meet the feeling that is broadcast to a certain extent—for life after all is a compromise—I will be perfectly satisfied if they cut it down to twelve or even fifteen days. It should certainly not be less than ten but I would be willing, and I would think it would be perfectly satisfactory to the people generally, if it were made ten or twelve days.

By Mr. Raney:

Q. In my memorandum, and I think it is right, but I just want to see what you mean by that, Toronto apparently last year raced thirteen days in the spring and seven days in the fall?—A. Yes.

Q. Montreal thirteen in the spring and eleven in the autumn?—A. Yes.

Q. Hamilton eleven in the spring and eleven in the autumn?—A. Yes I think that is about it.

Q. Fort Erie twenty-one in the spring and nine in the autumn?—A. Yes.

Q. Windsor nineteen in the spring and eleven in the autumn? These are the meetings on the Canadian Racing Association tracks?—A. I think that is about right probably.

Q. That makes about one hundred and twenty-six in number?—A. Yes.

Q. When you say you favour the limitation, does that mean that you would favour limiting the number of days of racing on each of these tracks?—A. Yes, that no race track should run a meeting of longer duration than ten or twelve days.

Q. Would you explain how that would meet the case of new associations being incorporated. As it is now we have almost continuous racing from the 24th of May on until in October?—A. That is in different localities.

Q. I know but for the purpose of people who want to bet, the racing is going on all the time?—A. The professional better who is going to follow the horses from place to place is going to bet whether you pass this Bill or not.

Q. My idea is that as far as each association is concerned, it should be limited to a number of days. Would you stop the incorporation of new associations?—A. No. I would increase them.

Q. As many as wanted to incorporate?—A. Yes.

APPENDIX No. 6

By Mr. Sinclair:

Q. The Bill does not propose to stop racing?—A. No.

Mr. RANEY.—This is a new aspect of the case.

By Mr. Stratton:

Q. You say you do not know what proportion of the amount of the purses comes from the 'bookies'?—A. I have no idea of what they get out of them, no.

Witness discharged.

Committee adjourned.

WEDNESDAY, January 19, 1910.

The committee resumed to-day at 11 a.m., Mr. W. H. Miller presiding.

The CHAIRMAN.—Here is a largely signed petition in opposition to the Bill. It is addressed to Messrs. Clarke and Wilcox, the members for Essex, and being addressed to them, and as it will not be received in the House of Commons, I do not see why the committee should not receive it. The petition reads as follows:—

GENTLEMEN,—We, the undersigned resident electors of Essex county, humbly ask you to use your vote and influence in the parliament of Canada against the proposed legislation affecting horse racing. We feel that any legislation making the laws more stringent than at present will be the means of eliminating the breeding of thoroughbred horses throughout the whole of Canada, and it will affect the breeding of running and trotting horses alike. There is a race course in the township of Sandwich West, in this county, equipped in first-class condition in every respect and everything is conducted in a manner to recommend it to the public. To the farmers of the county the races conducted there are of great value by affording a ready cash market at best prices for their produce and at a time when it is needed. It is intended to use the race track premises for an annual agricultural exhibition, and if racing is impaired the premises cannot be obtained for that purpose. We believe that similar conditions exist in other parts of the Dominion, and if the law at present existing is enforced, the honour and dignity of the Dominion will be maintained.

The petition is largely signed.

Mr. RANEY, K.C.—Did the committee come to some decision with regard to the books that were asked for?

The CHAIRMAN.—Yes. The understanding of the committee was that statements would be furnished and that the books would be here, and if there was any desire on the part of any one interested who wanted to verify the statements by the books they would have the privilege of referring to the books and verifying the statements.

Mr. RANEY.—Then I think my learned friend, Mr. McCarthy, who appears for the Ontario Jockey Club, and Mr. Counsell, who represents the Hamilton Jockey Club, if they have statements I would ask them to put them in.

Mr. MCCARTHY.—I will have them to-morrow. They are being prepared.

Mr. RANEY.—The secretary of the Windsor meeting is here, and I will ask him to leave the statements with the clerk of the committee.

Mr. MCCOLL.—I understand that the secretary of the Windsor Jockey Club is here and has his books and statements. Now, I would like you to understand again what the position of the committee is. The suggestion was that all the parties should deposit their books with the committee, should leave them here to be inspected. The

1-2 GEORGE V., A. 1911

committee decided that perhaps it was unreasonable to ask that the books be left with the committee, that the private business of this association might be looked into, but that statements were to be prepared. These would be verified by the evidence of the secretary. They were to have the books here ready to refer to if there was any question about the statements requiring verification. So that, as I understand it, it is not necessary to deposit these books with the committee, but simply to have them here.

Mr. MCCARTHY.—At the next meeting of the committee the Ontario Jockey Club will have these statements, together with the books, and if Mr. Raney is not satisfied with them the books will be here to verify them.

Mr. MCCOLL.—My reason in making the statement is that all the clubs were not represented here yesterday, at least by their secretaries and it is only right that they should fully understand the position.

Mr. RANEY.—If you will permit me I cannot see what possible objection there can be to the books being left with the secretary of the committee for any inspection which any member of the committee or any counsel in the case might have to make. There can be nothing of a private nature so far as these clubs are concerned that would in any way injure the clubs to disclose. At any rate the public interest is concerned, and if there is any private interest it must give way. I do not think there should be any circumscription of the books being treated here. It is not a case of exposing the clubs or the books to any one but so far as the members of the committee are concerned and counsel there ought to be no restriction whatever in the examination of those books.

The CHAIRMAN.—Last night when the committee considered this matter it was agreed unanimously that there should be no desire on the part of any one to pry unnecessarily into the private business of any corporation. But statements have been asked for and will be presented. It was agreed that if any person interested had any reason to doubt the accuracy of the statements, I do not mean to say doubt that they were intentionally incorrect, but if he had any reason to doubt their accuracy he would have access to the books. I think that would be fair and reasonable. I think every one will recognize that a man cannot take up long statements dealing with dollars and cents, financial statements, and get the whole gist of them at a glance. If any one has a statement here I do not know that he will object to furnishing them now. Then if Mr. Raney or Mr. McCarthy or any solicitor or any member of the Committee has any real reason to require the books then the books will be forthcoming and probably it will save time for the books to be provided when asked for and a reasonable opportunity given to examine them. If everybody is reasonable there will be no friction. If there are statements here I think they may as well be filed now. For they must produce the statements and they might as well be produced now and an opportunity given to examine them.

DUNCAN MCEACHRAN, sworn and examined:

By Mr. Moss:

Q. You reside, I believe, at Montreal?—A. At present at Ormstown near Montreal.

Q. What is your occupation?—A. My profession is that of a veterinary surgeon.

Q. Are you interested in or a member of any jockey club?—A. No.

Q. How did you come to be here to-day; were you subpoenaed?—A. I was not. I received a copy of this bill and read it over. I have been all my life interested in the breeding of horses. For 27 years in connection with a ranch company in the west which I managed we bred until we had 800 or 900 horses breeding from 300 mares. All along throughout my career I have been interested as a horse breeder. In my capacity as chief inspector of stock which I held for about 27 years in connection with the government here, I naturally came in contact very extensively with the breeders throughout Canada. I naturally had correspondence with the British government

APPENDIX No. 6

and with some of the continental governments and I met men sent out by these governments to Canada to get information about Canada as a prospective remount country. France sent men and also Belgium. There have been men from Germany and others. I have had from time to time a great deal of correspondence that led me to be quite well informed as to how many horses were bred in Canada, what the classes were, and I was asked the question by the British government before the Boer war as to whether if a war broke out Canada could produce a sufficient number of horses and how many horses Canada could provide. I was amazed at the small number that could be provided by Canada. When I got up the Strathcona Horse I supposed I could go and get the sanction of the ranch managers to take their cow ponies. I drew from their cow ponies as many good ones as I could but I could not have horsed that regiment of Lord Strathcona if it had not been that some of the dealers had brought horses in from Montana. It is true that by taking a longer time which I could not do, I could have scoured Canada and got more than I did. When through my persistence both by correspondence and visits to the remount department of the government in England I finally succeeded in getting remount officers sent here they were at a loss to get the quantity and quality wanted. A movement took place then and some thoroughbred horses were sent out to try to help us. The feeling has been throughout Canada that we were not properly treated by the British government. They took some 20,000 horses from New Orleans. They took large numbers from Hungary and Italy and other countries. They could not help themselves. They had to. Large numbers came from the Argentine Republic but the British army was not horsed as it ought to have been and not horsed as it will be if we go on breeding on the proper lines here. Now this bill struck me at once as a call for me to come here and do what I could to prevent what I consider a serious menace to the horse breeding of Canada. I may state that without a thoroughbred horse we cannot produce remounts. We cannot produce saddle horses. We cannot produce carriage horses or the registered class of hackneys. But these have got to a stage in their breeding that they have the qualities inherited from the thoroughbred horse. The answer to the question is I am here to open my voice in the loudest manner possible to try to get an amelioration of this bill.

Q. How do you think that this Bill affects the thoroughbred? Do you regard racing as essential to the preservation of the thoroughbred?—A. Most assuredly. The history of all progressive countries in the world shows us that horse racing is one of the sports of the people and it has been an incentive to the breeding of good horses. Do away with horse racing and you will find that what we have been struggling to do, to breed our remounts, saddle horses, hunters and send many out of the country—I am quite sure that if these jockey clubs and race meetings are killed by the legislation it will be a great blunder. Canada will suffer far more than may be apparent even to those who made a study of the subject.

Q. Would you mind telling us a little more about what you know of other civilized countries?—A. I would rather not undertake that because I could only talk from my own observation. My talk would be in generalities and it might be difficult to give particulars if I were asked.

Q. But you know as a matter of fact?—A. I know as a matter of fact that it is well known in the history of all progressive nations that the horse has been a great factor in the prosperity of the country.

Q. And racing?—A. Has been a great factor in England, in France and in Germany.

Q. How do you figure that this Bill is going to injure racing?—A. Well the impression I got was that racing can only be conducted by attracting the public and unless good purses are given the owners of horses will not enter. It is the same as in exhibitions. The higher the purse the better the turn out of good horses. Owners would not take the trouble to go to the races. I know that purses would not be forthcoming unless there was gate money, and I know that unless the public are going to

have something more than a look on at races and simply taking no interest at all they will not go there. I may say I never bet in my life and I never will. I have advised all my friends to avoid betting, either at cards or in any other way. That is my stand, but I must say it would be impossible for the thoroughbred horse to be maintained in his purity of breeding, in his size, and in all his good qualities unless there is some means of encouragement. The farmer will not breed him. It must be the wealthy classes that will handle these things. It would not be good policy I think for the government to do it. It has been tried in France and in other countries and there is no horse in the world like the English horse. They are bred all over the world for the improvement of stock, and it is almost entirely through private enterprise that they have been bred. The same applies to the United States.

By Mr. Meredith:

Q. Just one question in regard to the wagering or betting. Is it the practice at the present time on the tracks to bet through bookmakers on races only run at the special meet which is going on at the time? Do you see any harm in that? Do you see how that could be done away with?—A. No, not more than a man seeking investments can do business without a broker. I should say it should be under control and I understand it is. But I would go strongly towards doing away with all outside betting, pool rooms and betting places outside; betting should be allowed on the course and completely controlled by the association.

Q. And unless that is allowed?—A. The attraction to the public would not be there and the race meetings would not be successes financially.

By Mr. Raney:

Q. I suppose you know that under the law as it stands race track betting is both legal and illegal?—A. You explained that yesterday.

Q. Do you regard that as a satisfactory condition of the law?—A. I would rather not go into legal questions.

Q. That is not a legal question?—A. I am here in one capacity. I would not presume to touch legal questions.

Q. I am not meaning to ask it as a legal question, but from the point of view of the racing associations would you regard it as satisfactory that a man should be doing an innocent act if he is pacing up and down within a certain distance and be doing a criminal act if he is standing on a box, that being the distinction. From the point of view of the racing association would you regard that as a satisfactory law?—A. I do not think it is.

Q. Now you yourself regard betting as a vice?—A. I do.

Q. And you would do everything you can to reduce the amount of it?—A. Yes.

Q. Have you ever considered the question from this point of view. I may premise by saying I have discussed the matter with horsemen of a great deal of experience and they take the view I am about to suggest to you. Have you ever considered the matter from this point of view, that at present there are a great many people belonging to what might be called the gambling class, who frequent the race tracks in pursuit of their business which is gambling, that if gambling were eliminated or reduced on race tracks these people would not be there, that if they were not there their places perhaps would be taken by men and women who would take a genuine interest in the racing but who are restrained from going to the race tracks by reason of the flavour which attaches to the tracks. Have you considered the matter from that point of view?—A. No.

Q. Might it not be so that what has been suggested would follow?—A. It might be that, if it were not properly controlled.

Q. Might it not be so that a law which would eliminate the bookmaker, the professional gambler would have the effect of improving the quality of the attendance, perhaps in the first instance reducing the quantity, but as time passed not only im-

APPENDIX No. 6

proving the quality but the quantity of the attendance, might it not be so?—A. It might work out that way.

By Mr. McCarthy:

Q. Do you know what the actual result has been in the State of New York, what effect kindred legislation to this has had in New York?—A. I do not know definitely. I have heard and read about it.

Q. What have you heard and read? What do you understand to be the situation?—A. I understand that a great many of the horse breeders are relinquishing horse breeding.

Q. What about the attendance?—A. I do not know that.

By Mr. Counsell:

Q. Have the attendances increased?—A. I do not know. I am not interested in racing at all.

By the Chairman:

Q. Are you acquainted with the breeding of standard horses?—A. Yes.

Q. It has been frequently stated that the standard bred horse has deteriorated through breeding for extreme speed and losing sight of everything else?—A. Speaking of the horse generally as a utility animal they have developed by their methods extraordinary speed, a speed that was never supposed to be attained.

Q. In breeding the standard bred for extreme speed have they not suffered in other qualities?—A. I think so. There has been a great deal of harm done to the country by breeding from standard bred horses.

Q. Now what I want to ask is whether the same thing has been proved about the thoroughbred, that in breeding the thoroughbred for extreme speed there has been a loss of other good qualities?—A. That is so. It is well known in England that short races have altered the character of the horses and there is a strong feeling in the United States, and I know that the feeling exists in Canada that only heavy boned horses should be used for breeding and light boned horses should be eliminated and it is quite proper. Speaking generally you are quite right.

Q. Now as to the length of the races. As compared between the practice in England and in Canada what is the usual length of the leading races in England?—A. Usually a mile and a half. They have some short races.

Q. Are the races in England longer as a general thing, over longer tracks than they are here?—A. I think so.

Q. Do you think that the short races in Canada are a real test or proof of endurance on the part of the horses?—A. No.

Q. Then, if horse racing was to be the assistance to horse-breeding here that it ought to be, one would require to lengthen the races?—A. Yes, would have to breed as large and as heavy as you could get and lengthen the races.

Q. Then the present customs of the Canadian race tracks are not such as to improve breeding in the best manner?—A. I am not fully conversant with the racing in Canada. I only followed it and only know it in a cursory way. My idea has always been that there has never been sufficient attention to the selection of the sire. The sire should be large and heavy boned, a horse of character himself and of the purest breeding, and the length of the races should be increased. They can be easily increased by such a method as that.

Q. I quite agree with what you have said and what Mr. Dymont said as to the value of the thoroughbred and as to that peculiar something that you get from the thoroughbred that you cannot get in any other breed. Where did the thoroughbred derive those excellent qualities?—A. From the Arab.

Q. I have frequently heard it said that there was absolutely no horse racing in Arabia. Is that correct?—A. I could not say.

1-2 GEORGE V., A. 1911

Q. Homer Davenport says that Arabia is the only country in the world where they breed horses, but where they do not have horse racing.

By Mr. McCarthy:

Q. Are the longer races applicable to the two-year-old or the three-year-old?—

A. No, the younger horses could not go the distance.

Q. It is necessary to have a shorter race for the younger horses?—A. Yes.

Q. Would you consider thirty races out of forty-two at a seven-day meeting of a mile or upwards, sufficient?—A. I should think so.

Q. Well, I may tell you that at the autumn meeting of the O. J. C., out of forty-two races there were at least thirty of them a mile and upwards. You would consider that a satisfactory condition of affairs?—A. Yes.

Q. Have you any knowledge as to what good work of increasing the length of races the Ontario Jockey Club has been doing of late years?—A. No.

Q. Do you not know that the men interested in that track agree with what I have stated with regard to increasing the length of races, and have brought about an increase?—A. I understand that to be so.

Q. With reference to the question Mr. Raney asked you, have you ever heard of any one staying away from the races because the bookies were there?—A. No.

By Mr. Moss:

Q. About the racing for two and three-year-olds, do you agree with what Dr. Webster said that it is desirable that a horse should start his education and training as a two and three-year-old in order that he might acquire perfection later on?—A. It is the custom and has been found to be necessary.

Q. And the only thing you think should be corrected is the running to excess of short races?—A. Yes.

By Mr. Raney:

Q. Something was said by some of the witnesses yesterday about the value of broken down horses preserved as sires, that they have ceased to be useful for the work. Do you regard that kind of animal as a valuable sire?—A. It may be as valuable as the soundest horse if it is merely an accident. A man may get his leg broken and go through life with a cork leg and he is just as able and good a man as before he met the accident.

Q. You say that may be so, but what will be the case generally?—A. If a good horse has plenty of bone, an accidental blemish or injury, or fracture will not affect it.

Q. Will you tell me what is the extent of the thoroughbred industry in Canada at present?—A. I cannot say.

By Mr. McColl:

Q. Mr. Raney has suggested that if the betting were eliminated from the race tracks that the quality of the attendance might be improved. Now, with regard to that, do you know whether the King of England attends race tracks or not?—A. Yes, he does.

Q. Where betting is going on?—A. Yes.

Q. Does the Governor General of Canada attend any race track where betting goes on?—A. Yes.

Q. And the Lieutenant Governors of provinces?—A. Yes.

Q. And the judges of the superior courts?—A. Yes.

Q. And mayors of cities?—A. Yes.

Q. And members of parliament?—A. Yes.

Q. And senators?—A. Yes.

Q. Attend race meetings where this betting is carried on?—A. Yes.

APPENDIX No. 6

By Mr. Counsell:

Q. You know the persons of the racing stables in Canada, the Hendrie stables, the Dymont stables and others, you know that they have thoroughbred stallions which become useless for racing but go through the counties. Are they of any benefit to the horses in the counties?—A. The greatest benefit.

By Mr. McCarthy:

Q. Do you think these stallions would be here if it were not for racing?—A. No, and a steady breeder who is going to breed a winner takes care that the mare was a winner and the sire was a winner and consequently it is those horses which do the work on the track that are most likely to be the most valuable horses to breed from.

By Mr. Glen Campbell:

Q. One of your cross examiners asked you a question with regard to New York, and your answer was not quite plain to me. Do you assume that now that the anti-gambling bill has gone into force that it has done harm to the thoroughbred horse breeding industry in that state?—A. To my mind there is no doubt about that. It has done most serious harm. It will take them many years to get back to where they were. A great many horses have come to Canada, and others have gone to England and mares have been sent out. I do not think legislation should try to force morality on people.

Q. You were speaking of the damage that was done to the thoroughbred horse by early racing and straining. With regard to the gambling do you think it will make any difference whether a horse runs at a 50 clip or a 45 clip?—A. I do not think so.

Q. It won't make any difference to gambling whether a horse is fully matured before it is allowed to race or whether he races as a two year old?—A. I would not think so.

Witness discharged.

Dr. ROBERT E. WEBSTER, sworn and examined:

By Mr. Moss:

Q. You are a surgeon, I believe, practicing in Ottawa?—A. I am.

Q. And you have resided here and practiced?—A. For a number of years.

Q. Have you made the breeding of horses an interest in your life?—A. Yes, horse breeding and horse showing has been rather a hobby with me for a number of years.

Q. You have had a great deal of experience?—A. I have had considerable experience; I have been rather a large exhibitor at a number of horse shows in Canada and in the United States at times.

Q. And I believe you have made rather a speciality of hunters?—A. Yes.

Q. You are master of the Ottawa hunt?—A. I am.

Q. Are you familiar with other lines of horses besides hunters?—A. Yes, harness horses, carriage horses and high steppers.

Q. And you have judged at horse shows?—A. I have.

Q. What do you say as to the thoroughbred being a factor in light horse breeding?—A. I am a great admirer of the thoroughbred. I have studied the thoroughbred a good deal. Take hunters, for instance. Ninety-five per cent of the hunters that are any good are thoroughbreds or half-breds. The qualities called for in a hunter necessitates his being sired by a thoroughbred. What I mean by that is that a hunter must have endurance, quality, courage, substance, quality of bone. He must be able to take up a weight and go a distance. No other sire I think in the world gives you that in the offspring so abundantly as the thoroughbred.

Q. Have you done anything in your association to demonstrate your beliefs in

these things?—A. Yes. We as a hunt club got two stallions at the Ottawa hunt stables, the services of which we give to the farmers' mares throughout the country. We have done that in the hunt club largely out of love for the thoroughbred, and partly through the selfish motive that we might be able to buy hunters throughout the country. We have to pay large sums for hunters and it was in order to get hunters for the racing through this part of the country.

Q. What have been the results, have they been satisfactory?—A. Eminently so. We have got a beautiful lot of colts and improved the stock, and I think it will be a considerable source of revenue to the country which will grow every year.

Q. What do you say about racing in connection with the thoroughbred factor in breeding?—A. I think racing is essential to get your thoroughbred. I think the thoroughbred owes his qualities pretty largely to racing. The thoroughbred of to-day is a different horse from what he was a hundred years ago. That has been obtained purely by selection. It is just as true of animals as it is of human beings. The selection of the fittest and selections through generations produces a magnificent animal. Racing has been fostered in England for some hundreds of years and there have been hundreds of years of breeding through selecting the horses of endurance and substance and of courage in breeding, and they have evolved the present thoroughbred. I believe that is why the thoroughbred is the most potent sire we have in the world to-day, and why he has more qualities than any other horse.

Q. It is a matter of fact, a matter of history I understand, that the thoroughbred is a descendant of the Arab horse imported into England several centuries ago?—A. Yes.

Q. How does the English thoroughbred compare with the Arab horse of to-day?—A. The English thoroughbred is perfection in comparison with the Arab of to-day. To my mind there is no Arab that could go the distance, at least the Arab we see in this country. I am only speaking from what I have seen. They are much smaller and are practically ponies. They make splendid pony sires, but I think to compare the Arab of the present day with the thoroughbred of England is going backwards. There have been generations and generations of breeding and careful selection to produce the thoroughbred.

Q. So you would not think that the fact that there is no racing in Arabia, if that is a fact, would have a beneficial effect on horse breeding?—A. I do not think that at all.

Q. What do you say of the connection between horse racing and betting and wagering? Have you considered that subject?—A. Yes, I have for some years. I have heard so much agitation about gambling on the race tracks that I considered that.

Q. And what conclusion did you come to?—A. Well, I think the actual betting on the race tracks amounts to very little. I have within the last few years watched betting; I never bet much myself, a dollar or two on a race or a hat pool with the ladies, but the majority of bets I have noticed one day last year at the Woodbine, I stood beside a bookmaker for some time, and the majority of his bets I concluded ran on the average about \$5. There were ones and twos and fives, and occasionally a plunger would come along and put on a fifty or a hundred. But I do not think the actual betting on the race track is anything as great as the average public imagines.

Q. Did you see the flushed face of the gambler there?—A. No, I could not say I did. I must say the pool room gambling in this country is an evil, which I think legislation should put down. There is no sense in it. It is pure gambling. Why we should have in these places telephones and men connected with New Orleans or Florida betting there on horses they have never seen or who have never been on a race track in their lives, I do not know. It is pure gambling and something should be done to control that. It does not improve any breeding in the country or do any good whatever.

Q. I was going to ask you why you thought this Bill would injure horse racing

APPENDIX No. 6

and through horse racing the breeding?—A. For this reason: Up to the present time, up to within the last few years, we have had in Canada small purses of \$300 and \$400 which do not pay the farmer to breed thoroughbreds and which does not pay a man to breed them to race. The purses must be increased to benefit the breeders. Now, I do not think you can get people to attend races if you make betting a criminal offence. Racing to-day in Canada is largely a fashionable event, or rather, I should say, a social event. It is a fashionable thing to go to the races and many people go there. If you make betting an offence I think it will interfere with the attendance. It will stop racing. It will stop the breeding of the thoroughbred and you will cause damage to this country.

By Mr. Sinclair:

Q. Have you had experience of racing? Have you noticed much of abuse in the way of fixing races?—A. I have not had much experience of races.

Q. I have heard it said that the bookmaker was very objectionable in this way, that a race is often fixed and that the public are invited to bet on a race that a bookmaker knows beforehand is going to be fixed or he knows how it is going to end. What do you say of that?—A. I have not had much experience of racing. I am speaking more as a breeder and horse show exhibitor. As to the fixing of races I have had very little experience, but I have no doubt it must occur.

Q. It is prevalent?—A. I do not think it is prevalent on the running tracks and if your purses were increased there would not be the temptation to do that.

By Mr. Stratton:

Q. It is not charged that the owners fix the races, but that it is the riders?—A. I understand that. Of course under the racing rules of the jockey club it is a dangerous thing for boys to pull a horse. These jockeys are paid princely salaries, and if the Canadian Racing Association gets down on a boy or suspects a boy they watch him and he may be sent down for six months, a year or perhaps for life, and ruins his whole career, so the good jockeys are extremely careful and they cannot afford to fix races.

By Mr. Blain:

Q. What proportion of the people who attend races engage in betting while the races are going on? Is it large or small?—A. I think it is fairly large; that is of betting or hat pool in small amounts.

Q. Would you say half the people?—A. I would say half the people.

Q. Who attend the average meeting?—A. Yes, half of them have something on the races. It may be only a hat pool at 50 cents a piece.

Q. What do you say about shortening the number of days?—A. I would be quite in favour of that. I would reduce the number of days to at least 14 days and have two meetings a year in each large city. I would only give charters to one in each city. I would allow some form of betting, either Pari-mutual or something of that kind, on the track, and I would stop all outside pooling. I think it would do a great deal. I would not only do that, but I would put racing associations on a ten per cent basis, possibly for the stockholders, and I would assess all money not going into the plant so as to make it go back into horse breeding or purses. I think that would help to solve the whole problem.

By Mr. McColl:

Q. I understand from what you said that you have attended races and watched the operations of bookmakers?—A. I have.

Q. Have you from your observations seen any evils resulting from that form of betting?—A. I do not know that I have seen anybody injured severely.

Q. I want to ask you a hypothetical question. In case, after all the evidence is in, it is demonstrated that there are practically no evils resulting from betting on

1-2 GEORGE V., A. 1911

the race courses in Canada as they now exist, but that evils do exist in the United States or other countries and that we should desire to prevent those evils arising in Canada, would what you have outlined about limiting the number of days and so on prevent, in your opinion, any such evils?—A. I think it would go a great way in preventing them. It would stop what is commonly called the merry-go-round which runs too many days. It becomes unhealthy along at the last.

By Mr. McCarthy:

Q. That is to say, you disapprove of, say, 65 days' racing in British Columbia—at Vancouver and Victoria, 60 to 90 days?—A. I do.

Q. If that is cut down to 4 days, you do not think it is going to produce evil?—A. I think it will produce much good.

By Mr. McColl:

Q. If the racing associations are conducted by a sporting element who are in it for the sport, the idea is to get out the professional gambler?—A. That is my idea exactly.

By Mr. Raney:

Q. Do you regard betting in itself as an evil or a vice?—A. No, not unless a man bets more than he should. I do not think the ordinary bet does any harm.

Q. Would you regard professional betting as an evil?—A. Yes, I would.

Q. Would you regard the business of the bookmaker as an evil?—A. I would not call it a desirable occupation, but if it is honest gambling I do not think it would be a very great evil.

Q. I am not putting any imputation on bookmakers. The question is whether bookmaking is an evil?—A. I do not think so.

Q. You see no harm in it?—A. I do not see any harm in it.

Q. You see no harm in the business of the professional gambler so long as he does his business on the square?—A. So long as he does his business on the square.

Q. Is the present law satisfactory from your point of view, to the racing associations, having regard to the fact that the act of a bookmaker is innocent in one way and a crime in another?—A. I think it is an anomalous sort of thing.

Q. That ought to be changed?—A. I think it would be better to make it definite.

Q. Do you think it would be better to make bookmaking a crime or an innocent thing?—A. On the race track? Yes.

Q. You think it ought to be made lawful?—A. I think it ought to be lawful and controlled.

Q. Which came first, horse racing or bookmaking in the development of things?—A. Well, I was not there.

Q. You have been telling us a lot of things when you were not there?—A. As a matter of history, I imagine that there were races before they betted. They might have had a little bet on the first race. If he was an Anglo-Saxon he probably had.

Q. I am not talking about betting, I am talking about bookmaking?—A. I cannot speak as to that. I do not know enough of the past history of racing in England or America as to whether betting—

Q. Or bookmaking?—A. Bookmaking has been going on for a great many years, longer than I can remember.

Q. And so has horse racing.

By Mr. McCarthy:

Q. Will Mr. Raney explain what he means by bookmaking?

Mr. RANEY.—I am going to call a witness immediately who will tell us.

Mr. MEREDITH.—What is the difference between individual betting and bookmaking?

Mr. RANEY.—The witness understands, I think. When I speak of the man who

APPENDIX No. 6

goes to the race track and gets a concession from the association and acts in a professional way as a taker of bets.

WITNESS.—You mean to say do I consider whether it is more harmful for me, supposing I am a betting man, to bet with a bookmaker or with an individual. I do not think it makes any difference. The bookmaker simply affords the opportunity.

Mr. RANEY.—No, my question was whether or not you saw anything objectionable in the business of the bookmaker, that is, the man who goes to the race track as a matter of business, as a professional bookmaker, as a professional gambler if you like, and fixes his odds and takes bets on his odds. Do you see anything objectionable in that?—A. You mean to the public?

Q. Do you see anything evil in it?

Mr. MOSS.—Are you speaking on moral ground now?

WITNESS.—I am not an authority on moral law.

By Mr. Raney:

Q. You have some test?—A. Well, my conscience is my test.

Q. Well, would you prefer not to answer that question?—A. I am not an authority on moral law.

Q. I understood you to speak of pool rooms in Ottawa, did I?—A. No, not in Ottawa. I believe there is one in Hull. I have never been there personally, but I have been told so.

Q. Where they bet on foreign race tracks?—A. Yes, where there is betting on races, and I think they exist in most cities in Canada.

Q. Do you know where they are located?—A. No, I do not.

By the Chairman:

Q. I notice that a man writing in the *Toronto World*, over the signature of 'Horseman,' says that in England the race meets are confined to four days. We have been told that some people would like to follow England's practice. Do you think it desirable to limit meets here as in England to four days?—A. I do not think all the meets in England are limited to four days. I do not think that is the fact. I do not think four days would be sufficient here, for the reason of our geographical situation. We have such long distances between cities that too short races would do. They would **not pay**.

By Mr. Moss:

Q. In England the distances between race meetings are so short that the horses go from place to place on foot?—A. I understand so.

By Mr. McCarthy:

Q. There is practically a continuous racing in England, round about London, is there not?

By the Chairman:

Q. Speaking of the Arab, I said that Homer Davenport said that in Arabia there has never been horse racing, and Sir Wilfrid Blunt, who has been breeding Arabs in Sussex, England, for many years, and who is pronounced to be the best authority in the world on the Arab horse, says that in races of one mile or two or ten miles, the English thoroughbred will beat the Arab, but that in a twenty mile race the Arab will leave the thoroughbred out of sight. Would you, from your personal knowledge of horses, care to contradict that?—A. If I were a betting man, I would like to put money on that. I do not think that the Arab I have seen in this country, I do not think there is an Arab in this country that could race one, two, ten or twenty miles against an ordinary thoroughbred.

1-2 GEORGE V., A. 1911

Q. There are practically no Arabs in this country, are there?—A. An odd one or two, at least, they are said to be such. I am not speaking disrespectfully of the Arab, but I think the thoroughbred is the evolution of the Arab.

Q. I was wondering whether you cared to contradict Sir Wilfrid Blunt's statement?—A. I am not saying anything disrespectful of your authority, but I do not believe it is a fact.

By Mr. McColl:

Q. The question of racing in England has come up. I would like to ask you a question or two as to a comparison between the conditions in England and in Canada. I am informed that the racing season in England begins in the third week in March and ends in the third week of November. That is the flat racing, and that between those dates racing is going on every day in some part of England. Do you know whether that is the fact or not?—A. I think it is a fact that racing is practically continuous in England. I have been told by Englishmen over here that you can go to a race meeting every day in the year practically.

Q. And all those meets are under the control of the jockey club?—A. Yes.

Q. They arrange the dates so that racing is not going on in two different places at the same time?—A. Yes. Unless it should be some distance off. Yes, some distance off.

Q. In the far north or far south?—A. Yes.

Q. I am also informed that the reason for the four-day meets are that the race tracks are so close together, practically in every county, that the races go to the people so that all will have an opportunity instead of having to go great distances as they do here?—A. I believe that is quite correct.

Q. Then, at some of those large tracks such as Newmarket, Doncaster, Ascot, Epsom, although they have a four-days' meeting, some of them hold meetings twice a year and sometimes four times a year?—A. Yes, I think so. I think at Newmarket they are.

Q. I have seen it stated that at Newmarket they had it eight times a year?—A. As to the number of days I have not a very accurate knowledge.

Mr. MEREDITH.—I have one or two gentlemen from Montreal, business men, who will speak on the horse-breeding aspect of this matter, and I would like to put one or two questions to them.

Witness discharged.

A. E. OGILVIE, sworn and examined:

By Mr. Meredith:

Q. Mr. Ogilvie, you are at present master of the Montreal Hunt?—A. Yes.

Q. And you have been engaged with the Hunt for a good many years?—A. Yes, a good many years, 15 or 16, perhaps more.

Q. If I remember, you are a son of the late Senator Ogilvie?—A. No, a nephew.

Q. You are a son of W. W. Ogilvie?—A. Yes.

Q. Did your father have breeding stables in the vicinity of Montreal?—A. Yes, he did, more in the earlier days. I mean when there were two or three race courses about Montreal, in the garrison days, when there were thoroughbred stallions about Montreal, and the thoroughbred stallions were accessible to any individual who wanted to serve. Latterly on account of there being practically no racing—I am referring to the time between the end of the old Bel Air meeting and the commencement of the Blue Bonnets—there was practically no thoroughbred.

Q. Owing to the closing of the Bel Air course?—A. Exactly. There was no encouragement to any man to own or breed horses of any kind or description.

APPENDIX No. 6

Q. When your father died, did you take up breeding?—A. Yes, I took up the farm.

Q. Now, why did you take up the breeding of thoroughbreds in Canada?—A. Because in my time inducements were really thrown out by the Montreal Jockey Club with the view of encouraging the breeding of thoroughbreds by increasing the purses and at the same time there was a very substantial government grant given by the government of the province of Quebec to races confined absolutely to thoroughbreds raised in the province of Quebec.

Q. So you are aware that the government of the province of Quebec quite recently has given an amount to be given in prizes by the Montreal Jockey Club?—

A. Yes, not only to the first and second horses, not only to the winners, but very substantial sums to, I think, the first five horses in order that every breeder should have an opportunity to derive some benefit.

Q. Now, at the present time have you any thoroughbred stock or sires?—A. Yes, I have a stallion and six or seven mares.

Q. You know the nature of the Bill before this committee?—A. Yes.

Q. If this Bill is passed in such a way as to affect betting as it is carried on on courses and only for races that have taken place at the time, what effect will that have, do you think, what result so far as you are concerned would it have, what will happen to your stable?—A. It will be abandoned. I will give it up.

Q. You have no hesitation in that?—A. None whatever.

Q. You have done some breeding yourself and your father did before you. If there was no racing, if there was no betting such as is now allowed only on the courses, I am not speaking about the Bill, what effect would that have on the race meetings?—A. I do not think there would be any. I mean that the attendance would fall eighty per cent and you cannot possibly have a race meeting without purses that men would be willing to run for.

Q. Now is the thoroughbred strain in your opinion, essential to hunters, carriage horses, remounts, in fact even to the ordinary roadster?—A. Most decidedly so. Perhaps I should confine myself to hunters because I am master of the Montreal Hunt, and am in closer touch with that particular breed. Probably 50 horses in Montreal are maintained for hunting and the greater part of them are thoroughbreds and at least 50 per cent of them half-breds. I mean by half-breds, horses sired by thoroughbred sires.

Q. Then if I understand you, in your opinion racing is necessary to encourage the importation of thoroughbred stock and the breeding of local thoroughbred stock, is that so?—A. Undoubtedly. I think it was demonstrated clearly in the Province of Quebec particularly about Montreal, when we did not have racing there was not a thoroughbred stallion within the three counties around Montreal, and I doubt very much if there was one or two in the Province of Quebec, and so far as I know there was not a thoroughbred good mare in our part of the Province of Quebec.

Q. Could racing, in your opinion, be carried on successfully without betting?—A. No, it could not.

Q. Now I presume being master of the Hunt and a member for a number of years, that you have visited a good many of the tracks in Canada when the races were going on?—A. Yes, during the Ontario Jockey Club meeting.

Q. Ontario and Blue Bonnets?—A. Yes.

Q. Have you seen anything on any occasion that you have been to either of those meetings, have you seen as a gentleman, any drunkenness or any vice of any kind?—A. Practically no. The only time I have seen anything of that kind was not in the grand stand, not in front of the members place, but only once when I saw a policeman who would not allow a man in.

Q. Probably he was not in a fit condition to be allowed in?—A. He was not in a fit condition to be allowed in.

Q. Can you see any difference between betting between individuals on a race

course and betting between an individual and a bookmaker on a race course?—A. No, none except that personally I would rather deal with the bookmaker.

Q. You would rather deal with the bookmaker?—A. Undoubtedly. I consider the bookmaker practically gives quotations the same as you see chalked up in a broker's office.

Q. And as a matter of fact if you bet with a bookmaker he is under the control of the jockey club on the track to-day?—A. Yes.

Q. And you know what you are betting?—A. Exactly.

Q. While if you met Mr. Raney or any one else you might make a bet and you would not know?—A. I would probably make it one of \$100 while I would give the bookmaker \$10.

Q. In other words you feel less temptation to bet largely with the bookmaker?—

A. Yes, I would not be tempted to bet so largely as with an individual.

By Mr. Martin:

Q. And you do not see the man's money that you are taking?—A. That is it.

By Mr. Raney:

Q. Just to get your point of view, do you regard betting as an evil in itself?—A. No, I do not.

Q. Along that line, do you regard the business of the professional gambler as an evil?—A. No, I cannot say I do.

Q. Do you think the present law with regard to bookmaking on race tracks is satisfactory to the racing association?—A. I am afraid that is a little too technical a point to express an opinion upon.

Q. It is easily understood. Are you a member of the Montreal Jockey Club?—A. I am.

Q. Well you know the law is as I have described it, that the bookmaker is doing a legal act if he walks about and an illegal act if he stands on a box?—A. Probably it would be better if it were clearly defined one way or the other.

By Mr. Blain:

Q. What amount of money does the provincial government of Quebec give annually towards horse racing?—A. \$2,000.

By Mr. Meredith:

Q. That is to the Montreal Jockey Club?—A. Yes.

By Mr. Blain:

Q. Do they give anything to other jockey clubs?—A. I rather think that the Montreal Jockey Club receives the grant.

Q. What do you say about shortening the number of days?—A. I quite agree with what Dr. Webster said about these long meetings, those that have taken place this summer in the west, and I should think it would be a very good thing if a minimum of 14 days racing were allowed on any course twice a year, in the spring and autumn. But I do not know that it should be reduced below 14 days.

Q. What would you say as to the percentage of people who attend racing in Montreal who bet?—A. It is rather a difficult question to answer.

Q. I appreciate that, but would it be large or very small?—A. Well I think I would be quite safe in saying that so far as Blue Bonnets is concerned fifty per cent of the people who go there never make a bet.

Q. It is only in good Toronto where they make bets?—A. I do not know about that.

By Mr. Sinclair:

Q. I suppose these men who own horses would run them if the purses were large

APPENDIX No. 6

enough whether there were people at the races or not. Do they not run their horses to get the purses?—A. Undoubtedly.

Q. Now if the provincial government of Quebec furnished the money for the prizes the business would still go on notwithstanding that the betting is prohibited?—

A. \$2,000 don't go very far.

By Mr. McColl:

Q. It would take about \$120,000?—A. Yes.

By Mr. Sinclair:

Q. Do you pay out that much in a year?—A. I cannot say.

Mr. MEREDITH.—I can give you the figures if you like.

By Mr. Sinclair:

Q. What is the highest purse any horse gets in your club?—A. Probably \$2,000 to the winner.

Mr. MEREDITH.—Our purses for the two meetings are \$80,000.

By Mr. Counsell.

Q. In connection with fixing races, that question was asked. Does the Montreal Jockey Club employ stewards and judges for the purpose of watching that?—A. They do.

Q. Do they employ the ablest judges they can get?—A. They do.

Q. That is the policy of the Montreal Jockey Club?—A. Yes.

Q. And of the Hamilton Jockey Club?—A. Yes.

Q. And their business in these matters is to watch jockeys and anything of that kind?—A. Undoubtedly.

Q. You have been attending races for a great number of years?—A. Yes.

Q. It has been suggested that a bookmaker would know before the race that a certain horse was going to win. Have you ever seen any evidence of that kind?—A. I never have, and I think the percentage of such cases would be infinitesimal even if you can get it into decimals.

Q. So that the sport in your opinion is conducted properly and no fixing or anything of that kind exists to any appreciable extent?—A. Certainly not. I would be very sorry to have a horse raced on any course where I thought any such thing would be countenanced for a moment.

Q. With regard to the percentage of people who bet with the bookmakers, that is of the public who attend races, what in your opinion is the percentage of people who bet?—A. Of course it is a very hard thing to get down to figures. It is more for the secretary of the Jockey Club to tell you than for me.

Q. Do you know where the bookmakers are situated. You know where they are betting and you know the number of people you see there?—A. I know this, that on a Saturday or holiday in Montreal between the races, you will hardly see any appreciable number of people and that is the only thing I am going on, certainly not fifty per cent of the people are in the betting ring.

By Mr. Blain:

Q. What would you say as to confining the betting to the race track?—A. By all means. When a man goes to the race track he is in a position to see the horses. He probably knows the horses. He sees and knows the jockeys and can bet on that as he chooses. He can back his own opinion. The great harm is in pool rooms where a man goes into a room and bets on a horse running in Los Angeles or Florida. It may be horses or goats that are running so far as he knows. He does not get a run for his money at all. There is more money lost in pool rooms I believe than on all the recognized race tracks in Canada put together.

By the Chairman:

Q. You think a very small proportion of the people who attend the races bet?—

A. I would not say a small proportion. I have been looking myself. I would say about fifty per cent. Of course it is a hard thing to tell. It is only my private opinion.

By Mr. Martin:

Q. Do you know what revenue the Montreal Jockey Club gets from the book-makers?—A. I do not know.

By the Chairman:

Q. You do not know what each bookmaker pays for his privilege?—A. I do not know.

By Mr. Sinclair:

Q. Are there many pool rooms in Montreal? Are they controlled in any way by the police or are they allowed full scope?—A. I would not say that they have full scope but they exist I am given to believe.

Q. Then the law is not enforced at present with regard to the pool rooms?—A. I would not say that. I am only talking from hearsay, from what I have heard from time to time.

By Mr. Counsell.

Q. Do you know of a single pool room in Montreal?—A. I do not know at the moment.

Mr. MCCARTHY.—I desire to correct a statement which I made a few moments ago. Mr. Powell, who represents the Vancouver Jockey Club has pointed out to me that I was wrong in stating that their meeting ran 60 days. As a matter of fact their racing only amounts, I think, to 28 racing days last year and my question ought to have been with reference to the Victoria Association and to Vancouver. Victoria, I understand, lasted about 60 days. So in justice to Vancouver I think I should make that statement.

Witness discharged.

Colonel HENDRIE, sworn and examined:

By Mr. Moss:

Q. You are a son of the late Mr. William Hendrie?—A. Yes.

Q. And you are, I think, one of his executors?—A. I am.

Q. Your brother told us yesterday about the stock farm at Valley Farm, and about your father's connection with the breeding of thoroughbreds for the race course, and he told us that the breeding farm was still being conducted there, but that the establishment was not now racing?—A. The establishment is not racing?

Q. Are you racing yourself?—A. I am in partnership with my brother George Hendrie.

Q. You have been acquainted with your father's dealings with regard to horse breeding since you were a boy I suppose?—A. Yes, as far back as I can remember.

Q. Then what do you say as to the relation of the thoroughbred to the horse breeding of the country?—A. The thoroughbred interest is absolutely necessary for the light horses. It is absolutely necessary to have a thoroughbred stallion to have light horses.

Q. Does that apply to various phases of light horse breeding?—A. Yes, for the military class, the light driving classes, and the riding class.

Q. And the hunters?—A. Yes, and the hunting class.

APPENDIX No. 6

Q. You are in the militia I understand?—A. I retired.

Q. You are in the reserve?—A. Yes.

Q. You have had long experience in the militia?—A. Yes, quite an extended experience.

Q. What do you say about the influence and effect of a breeding farm like your father's in the country?—A. I think it is very useful to the country generally. It has been shown that by the experience of Germany, Austria-Hungary, France, and by the experience of private individuals in the Argentine. It is a matter of history, of common knowledge, that immense sums of money have been expended on the thoroughbred horse for the stock of breeding farmers in Germany, Austria, France and also in Italy.

Q. Then do you agree that what has been said that the maintenance of racing is essential to the preservation of the thoroughbred?—A. History proves it. The history of England proves it.

Mr. RANEY.—I think everybody admits that.

By Mr. Moss:

Q. Then you would say that any interference with racing would interfere with the breeding of the thoroughbred and the breeding of the light horse generally?—A. Yes.

Q. Have you read the Bill which is under consideration by the committee?—A. Yes, I have read it.

Q. What effect do you think that would have on horse racing in Canada?—A. The Bill as printed?

Q. Yes.—A. I think it would kill horse racing. There would be no horse racing as we know it at present. There might be concession line races but that would be all. no horse owner would race unless he has an incentive in the way of stakes and purses of money and no owner could afford to keep a racing stable. There must be an inducement to a horse owner to keep a stable and you can only do that by giving large purses and stakes to the owners and breeders.

Q. To help them out with the expense in maintaining them?—A. Yes. I do not think there is to-day a reputable horse owner in Canada who makes his expenses. They do it, most of them, for the love of the sport.

Q. It is not undertaken as a commercial venture?—A. No.

Q. And the motives are love of the sport and love of the horse?—A. Yes, sentiment is connected with it.

Q. And unless there is a stimulus, financial assistance, horse owners would not continue to breed thoroughbreds?—A. I do not think so. I know I would not.

Q. What would your position be if this Bill became law?—A. Our stables and breeding establishments would be closed up.

Q. Perhaps I may anticipate Mr. Raney and ask whether you regard betting as an evil?—A. Betting is something that is inherent in the whole race. Every class of people bet all over the world. One might bet on stocks, another on horse races, another on cock fighting, but generally there is a natural instinct in most men to have a bet on something. It is natural to the human race. I think it has gone on since the world started, and I think it will go on after we are dead.

Q. If it is not indulged in to excess do you regard it as an evil?—A. No, I do not.

Q. Is there any way you know of by which a line can be drawn between the professional better and the amateur better? Does any distinction suggest itself to your mind?—A. No, I cannot say there is any. I do not see how you can distinguish between the professional man, the backer and layer, who goes to the race course, and the man that plays against him.

Q. What do you mean by the backer? The man who bets on the individual horse and the layer is the man who takes the field is he not?—A. And lays against him. I

could not describe that condition of the professional better than you have described it.

Q. Do you consider that betting is necessary to the successful carrying on of race meetings?—A. Wherever you had a race meeting you would have betting I think, but I can speak more about the connection with the Ontario Jockey Club, the Woodbine course and the Hamilton Jockey Club. The betting there is confined to a certain portion of the ground and the backer and layer can go to that portion and bet and there is no doubt about it, because I have a distinct recollection of a conversation with my father that Sir John Thompson framed the act purely with the intention of allowing betting and legalizing betting on a certain portion of the race course. That is so far as I can recollect, a conversation with my father. There is no doubt about it. He wanted to legalize betting on race courses during the progress of a race on an incorporated race track.

Q. If that were made illegal now would racing go on?—A. The gate receipts would fall off a great deal and the horse owner could not breed and buy the class of horses, and it would gradually wipe out the industry in this country.

Q. Have you followed the situation in New York?—A. Generally from what I have seen in the press.

Q. You have not visited the race courses there since the change in the law?—A. Not since they changed the law, but I know that across at Buffalo the Kenilworth Park was closed up.

By the Chairman:

Q. Then you think that the love of the horse and the love of the sport and the appreciation of the value of the thoroughbred horse would not in themselves be sufficient incentive to keep up horse racing and breeding of the thoroughbred horse?—A. No.

By Mr. McCarthy:

Q. Is there very much money in keeping up these establishments to-day?—A. Generally I should think that during the fifty years of my father's life that he raced it cost him \$300,000 or \$400,000.

Q. What has been your experience?—A. I have partially paid expenses.

Q. Does that mean that you have lost money this year?—A. Yes, but I do not grudge it.

Q. Your brother gave evidence in cross-examination to Mr. Raney with reference to your interest in those tracks. Are you a shareholder in the Ontario Jockey Club?—A. I am a director and a shareholder in the Ontario Jockey Club. From my share I get \$10 a year.

Q. That helps to make up for the deficiency I suppose?—A. It pays for a Pullman to go down to the directors meeting.

Q. Are you interested in Hamilton?—A. Yes, one share.

Q. Would you tell me if there is any explanation you can give as to the condition of the Ontario Jockey Club financially. Mr. Raney has pointed out that they have a considerable surplus. I think he said they had a surplus of half million dollars. Can you give any explanation of why that condition of affairs exist?—A. In 1906 when I joined the board, they had just finished some of their improvements. In 1906 certain gentlemen in this room will remember, a persecution or prosecution—I do not know which to call it—of the Ontario Jockey Club was started by certain people in the city of Toronto, and that has continued ever since, and in view of that condition of affairs—and we see it existing even now—we have put by our money that would I think have been spent on ground plant and for improvements. I may also say that we bought 250 or 260 acres in case we should have to leave our present property. We bought that near York.

Q. If the conditions were such as to assure the club that it could go on successfully what would become of that surplus?—A. It will be spent at once in improving our grounds.

APPENDIX No. 6

Q. Will the surplus be sufficient if you have to move to York?—A. No.

Q. Was the policy up to 1906 practically to spend all you made?—A. Yes, and go into debt.

Q. Has the Ontario Jockey Club known such a thing as debt?—A. Yes.

Q. Considerable sums?—A. Very considerable sums.

Q. Your father I understand endorsed considerable sums to get it removed?—A. It has not been a money maker and I never expected it to be.

Q. And was not intended for that purpose?—A. No.

By Mr. Raney:

Q. Would you mind telling me what the assets on the surplus is?—A. I have just a general recollection. I cannot tell you distinctly. Mr. Fraser will be here. He is the secretary treasurer and he will give you that information.

Q. Can you give it to me approximately?—A. Perhaps Mr. Fraser could give it now.

Mr. McCARTHY.—It is in the neighbourhood of \$300,000.

Q. That is cash surplus?—A. No, there is \$160,000 invested I think. I am speaking generally, and there is \$100,000 mortgage on the property, so that leaves a surplus invested of about \$60,000. Mr. Fraser might correct me if I am wrong.

By Mr. Raney:

Q. What you mean by this is. First you charge up \$10,000 that is stock that has been paid up?—A. I do not understand you in that way. I wish to answer frankly but I must understand you.

Q. I understand the original investment was \$10,000?—A. Yes.

Q. Then when you speak of a surplus you meant—?—A. I would rather not answer this question.

Q. Well then you have said you did not yourself regard betting as an evil, and you have also said, as I understood you, that you did not discriminate between the professional bookmaker and the amateur bookmaker?—A. I cannot.

Q. You can discriminate in this way. I suppose if we were to ask you whether Mr. Fraser was a professional bookmaker you would know whether he was or not?—A. It would depend on your definition of what a professional bookmaker is. Mr. Fraser might make three bets on a certain horse and probably a bookmaker so-called might only make two.

Q. Let me put it in this way. I understand the Ontario Jockey Club sells book-making privileges to bookmakers?—A. That is a matter I know nothing about.

Q. Do you know that the Ontario Jockey Club derives a revenue from the sale of privileges to bookmakers?—A. I do.

Q. I understood that the number of bookmakers on the Woodbine track varies from 50 to 70, somewhere along there, 50 perhaps usually?—A. As a director I do not go into that portion. Being to a certain extent an official I do not go into that portion.

Q. But you know that at every race meeting there is a number of professional bookmakers?—A. I believe so.

Q. Many of them Americans I believe?—A. There may be, I do not know their nationality.

Q. Well, these men, and you know something about their practice, they expose the odds and the man who wishes to bet goes into the betting ring and lays his odds?—A. Since the definition of the law has been made what it is I have not been in to see what they did.

Q. When they are in the ring they expose their odds?—A. Yes.

Q. And the persons who want to bet in the ring can go to them and lay their odds?—A. Yes.

Q. These men are undoubtedly professional bookmakers?—A. Under a certain definition yes.

1-2 GEORGE V., A. 1911

Q. To carry the question a step further, do you regard the business of the professional bookmaker as an evil?—A. If the millennium should come and stop all betting in all parts of the world of every shape and kind I would be willing to include that. But I want to see that. Under the present restrictions bookmaking is allowed by law. I think it is much better that it should be in a certain place where the bookmaker is amenable to the officials of the Jockey Club where if anything goes wrong he can be called for.

Q. In other words granting that it be an evil it would be better to regulate it than to leave it unregulated?—A. I think so, better for the morals of the people.

By Mr. McCarthy:

Q. Whether you assume it as an evil or not it is better to have it regulated?—A. Yes.

By Mr. Raney:

Q. As touching that matter very closely how do you as a director of the jockey club regard the present state of the law which makes bookmaking under one condition a crime and under another condition quite a legal act?—A. That is one way the judges have interpreted the law, but it is not what Sir John Thompson meant when he made the law.

Q. Do you regard that state of the law as interpreted as satisfactory?—A. It might be improved upon.

Q. Your suggestion would be to make bookmaking legal whether the bookmaker is walking or standing?—A. Legal during the programme of a race and I also believe that if racing were to a certain extent restricted—

Q. You think the present law should be amended either in one direction or another, either by bookmaking legal or illegal?—A. Making it legal. Only in one way.

Q. Then perhaps you know something more about the assets of the Hamilton Jockey Club?—A. I have not been on the board of the Hamilton Jockey Club or attended a meeting since I resigned in 1906.

Q. Can you give me an idea of the value of the assets?—A. I know nothing about their affairs.

Q. You are not connected with the Fort Erie or Windsor tracks?—A. I never have been.

Q. Do you recognize any distinction between the Woodbine and Hamilton tracks on one hand and Fort Erie and Windsor on the other, any distinction that could fairly be brought to the attention of the committee?

By Mr. McCarthy:

Q. Are they all controlled by the Canadian Racing Association?—A. Windsor is I think. Canadians are generally a sport loving people, and they do love this sport, both men and women, and I think they go to the Hamilton Jockey Club and to the Woodbine and to the other two places. I may say I visited Windsor at the last fall meeting and I saw some of the nicest people at Detroit, including a member of the local House and a member of the Dominion House.

Q. Is it true that both of these associations, Fort Erie and Windsor, are exclusively, or almost exclusively, under the control of United States people?—A. I do not know that. So far as I know, Windsor is not.

Q. What would you estimate to be the proportion of persons attending, say, the Woodbine, who go into the betting ring and bet with the bookmakers?—A. I could not say what the people are doing there.

Q. But you have, say on Queen's Plate day, 15,000 or 20,000 people?—A. No, I do not think there were ever more than 12,000.

Q. What would be your estimate of the number in the betting ring?—A. I could not say, and I do not know that they were betting, even if they were there.

APPENDIX No. 6

Q. In connection with a question asked, I would like to read to you a few sentences of a letter written by the principal of an agricultural college. The sentence is: 'At the present time, because of the gambling associated with it, horse racing, which we believe to be one of the best sports we know of, is under the ban. Horse breeders themselves, who look at the matter from a breeding point of view, recognize that it would be decidedly to their interest if they could get interested in their business a better class of citizens who are at the present barred from attending horse races from the disfavour in which the sport is held.'—A. That gentleman should go to the Woodbine and Hamilton track and get educated.

Q. You see no ground for a statement of that kind?—A. No. I could count on my one hand the number of general breeders in Canada. They are probably in this room.

By Mr. McColl:

Q. What breeders' association does he refer to? Does that come from a thoroughbred man?

Mr. RANEY.—It comes from the principal of an agricultural college.

WITNESS.—It only shows how much he knows.

Mr. McCOLL.—That is a very serious reflection upon the Hendries and the Dyments.

Mr. RANEY.—I would not think so at all. Nobody for a moment disputes the eminent respectability of the people who are at the head of the Ontario and Hamilton Jockey Clubs and the Montreal Jockey Club.

Mr. POWELL.—And Vancouver.

Mr. RANEY.—My learned friend assures me that the Vancouver and Ontario clubs, whatever may have happened last year, are really controlled by local men. If I left a different impression, I am glad to give this information to the committee.

Q. Now, is it not possible you may have over-estimated the evil consequences that might follow from this Bill?—A. That is, that the Bill would kill horse racing?

Q. Yes?—A. We will follow it out. There is an attraction in meeting your friends at the race course.

Mr. RANEY.—That would remain.

WITNESS.—There is an attraction in seeing the horses run.

Q. That would remain?—A. There is also the additional attraction the average man has for backing his fancy for a little bet, and if that was taken away the attendance would fall off and gradually, I would imagine, there would be no racing such as is carried on at the present time in Canada.

Q. There is no doubt, of course, that the present system—the present law, if you like—attracts a large number of the gambling fraternity to the race track.

Mr. MCCARTHY.—What is the gambling fraternity?

Mr. MEREDITH.—Will my learned friend admit that there is a difference between gambling and betting?

Mr. RANEY.—My question is whether you are not aware that under the present system what may be called the gambling fraternity, who live by their wits, if you like, and largely come from the other side of the line, frequent the race tracks, and are an undesirable element?—A. I could not say that.

Q. You never heard that said?—A. We hear a great deal said, but we do not take it all for gospel. You may be correct, but, from my personal knowledge, I cannot answer your question.

By Mr. McCarthy:

Q. I do not know what Mr. Raney means by the gambling fraternity, but, so far as you know, what is the proportion of the people who engage in what he calls gambling at the Woodbine? Do they come largely from the United States?—A. If I answered I would answer without knowledge.

Q. What is your idea of it, would it be 100 or 200 people out of the 12,000 who

1-2 GEORGE V., A. 1911

assemble there?—A. There is a certain following, a certain class of men who follow the races.

Q. Outside of the owners of stables what does that following amount to?—A. I cannot swear to it.

Q. What is the proportion of men whom Mr. Raney describes as the gambling fraternity out of the total attendance of 12,000? Would they amount to 100?—A. Oh, yes.

Q. To 200?—A. I should say they would amount to more than that.

Q. To more than 300 outside the bookies themselves?—A. I could not say. I cannot answer that definitely.

Q. What I want to get is something as to the probable number of the total offenders?—A. Well it comes down to the description. A man may fancy a certain horse. He lives in London and he goes to bet on that one horse and goes home again.

Q. He does not mean a man of that kind. He is speaking mainly of the men who come across the border, American citizens who go to the Woodbine and attend the race meetings and make that their business, who live by their wits as he put it?—A. I would not think there would be over 200 or 300.

By Mr. Blain:

Q. Would you see any objection to limiting the amount of stock to bet during the progress of a race, say to \$500?—A. It is a matter of comparison. A man who bets \$5 might feel it a hardship to lose that sum and another man might lose \$5,000 and would not feel it a hardship.

Q. And what do you say as to the number of days for racing?—A. I think that if the government has the power to regulate the number of days it would be a great advance on the present system.

By Mr. Raney:

Q. There is no limitation now in Ontario?—A. Only limited by the Racing Association.

Q. None by law?—A. None by law. I should say 13 days at a time is quite enough. The Ontario Jockey Club finds 20 days long enough. With reference to England and the custom there you might have said that they race there practically the year round, because in the winter time they have steeple chasing and the rest of the year flat racing.

By Mr. Counsell:

Q. Do you know the stallions Orange Boy, Strathspey, Gold Case, Dalmoor, Persistence, Bassetlaw, Milner, Gladiator, Red Fellow, Kentfield?—A. Yes.

Q. Were they imported for racing purposes by racing horse owners?—A. Most of them were. Some of them were bred in this country.

Q. Have those horses been used in the counties and been crossed with farmers' mares for improving the breed in Ontario?—A. Yes, but that is a very small proportion. Mr. Seagram disposes I suppose of six or seven stallions every year himself.

Q. Would these stallions have been used in Ontario or Quebec if there had been no racing?—A. They would not be here.

The committee adjourned to meet again at 8 o'clock.

APPENDIX No. 6

WEDNESDAY, January 19, 1910.

The committee resumed at eight p.m. The Chairman, Mr. Miller, presiding.

Hon. ADAM BECK, called, sworn and examined:

By Mr. Raney:

Q. Mr. Beck, you have been for a number of years, I believe, a horse breeder and importer of thoroughbreds?—A. I have.

Q. Could you say how many years?—A. Fifteen or twenty.

Q. And you have bred a number of horses that have contested the Queen's Plate?—A. I have only bred thoroughbreds.

Q. Only thoroughbreds?—A. Yes.

Q. You have a number of your own horses that have gone up to the Woodbine from time to time?—A. Yes.

Q. Some of them have been winners, I suppose, and some otherwise?—A. Yes.

Q. You have also imported a good many horses?—A. Yes, thoroughbreds.

Q. Both sires?—A. And dams.

Q. And have you considerable knowledge of thoroughbreds?—A. I have some, yes.

Q. Now would you mind telling me, Mr. Beck, what in your view is the relation between the thoroughbred and the horse-breeding industry in general?—A. That is a very broad question.

Q. Yes, perhaps it is.—A. If you give me an hour I will deal with it.

Q. Perhaps you could deal with it in a shorter time?—A. Well, it is an acknowledged fact that the thoroughbred is the height of perfection so far as stamina and endurance is concerned in the horse.

Q. We have had a great mass of evidence along that line and I perhaps need not amplify it with you because you will agree probably with what the other witnesses have said.—A. I would like to be responsible for what I think myself.

Q. Then give the information in your own way, as to the relation between the thoroughbred and the horse-breeding industry.—A. Do you mean the breeding of thoroughbreds or the breeding of the general horse.

Q. Both as to breeding of thoroughbreds and the improvement of the general standard.—A. Well it is admitted I think by all those that are interested, that the infusion of the thoroughbred blood, that the cross with any animal is bound to improve it. That is, it may not improve its weight but it will improve the courage, the stamina, the endurance and the quality of the horse.

Q. Then what is the relation between horse-racing as we have it at the Woodbine and Hamilton and elsewhere, and the thoroughbred?—A. I suppose the effect of racing in itself is to demonstrate and individualize the horse that has the greatest endurance and the greatest speed in accomplishing the covering of a certain distance under certain conditions.

Q. It is a test?—A. Yes.

Q. And also a developer I suppose?—A. Well yes by, I suppose, breeding the horse with the mare that has produced and shown that they have had stamina and endurance to accomplish or to cope with the test.

Q. Who have given a performance?—A. Who have given a performance.

Q. Then what, in your view, is the relation between betting—or perhaps I had better say bookmaking because that is the matter before the committee—between race-track bookmaking and horse-racing?—A. I suppose there are two systems of betting in vogue so far as racing is concerned. That is the betting done on the track you mean, and that which is done outside?

Q. I mean track betting.

Mr. MEREDITH.—I think the witness ought to be allowed to answer. That is his idea of your question.

The WITNESS.—I am glad to answer. I just want to get the drift of your question Mr. Raney.

By Mr. Raney:

Q. Certainly, that is what I understood. My question was, what is the relation between race track bookmaking and horse racing?—A. I suppose the idea of betting on a horse is to create an interest and the man who is financially interested in horses I suppose takes his chance of making money or losing it.

Q. My question had reference rather to this suggestion, whether or not horse racing is dependent upon betting as a sport, in your view.

Mr. MEREDITH.—Betting on a race track.—A. I suppose horse racing resolves itself into a business. The man who enters the business wants to carry it on in the way that makes a profit and makes it pay or he would soon desert it. Consequently races for a purse and probably the extent of the purse depends upon the receipts which the association have from different sources enabling them to give a purse. I suppose the size of the purse depends upon the size of the receipts or the income.

Q. Well then you say that horse racing—perhaps I might read you the statement made by Dr. McEachran this morning and ask you whether you concur in it. Dr. McEachran said as I understood him, this is putting the question in another form, that Mr. Miller's Bill which you know about of course, is a serious menace to the horse-breeding industry of Canada?—A. You ask me do I know about it. I am sorry to say that I have not read the Bill and know as little about it as any man going who is supposed to have some knowledge of such a matter.

Q. Well then I will tell you what the Bill is. The intention of the Bill is to put an end to racetrack bookmaking on the tracks.—A. Yes and betting.

Mr. RANEY.—No, no, not betting. Racetrack bookmaking on the tracks.

Mr. MEREDITH.—To restrict betting is what it says. I do not know what your interpretation is.

Mr. MOSS.—The word 'bookmaking' does not occur in the Bill at all.

Mr. MEREDITH.—Does bookmaking occur in the Bill?

Mr. RANEY.—Certainly.

Mr. MEREDITH.—Then read it.

Mr. RANEY.—The purport of the Bill and I think you may take the statement from me, is to prohibit the business of betting—not individual betting but the business of the professional bookmaker or better. You know what that is.

The CHAIRMAN.—The object of the Bill, as was announced upon its introduction, was to prevent the business of racetrack gambling but not private betting. Now that is the intention of the measure and that is what it is intended to do. It is a matter for lawyers to decide otherwise, as to whether the language used will bring about that result or not. But that is the result, that is what we had in view by the Bill, so that you may take it for granted that is what the Bill proposes.

Mr. MEREDITH.—If the Chairman says that if we have got to accept it, well and good, but I maintain—I may be absolutely wrong—from my reading, that is not the interpretation of the Bill.

The CHAIRMAN.—If it can be shown to the promoters of the Bill that the measure as framed would not have the desired effect, then they will be very pleased to change the language so that it will not affect private betting on the race tracks.

Mr. MEREDITH.—The only thing is that when the witness is asked a question the lawyer should be very careful in interpreting the Bill which he wishes the witness to understand. He should interpret that Bill very, very carefully because the answer of the witness is given on the basis of the interpretation made by the lawyer.

The CHAIRMAN.—What I mean is this: I am not referring to the principle you spoke of at all but in this particular question all parties may assume that if the Bill

APPENDIX No. 6

does not accomplish what it seeks to do then the language will be changed. The change can be made afterwards, but in the meantime all parties can assume that the object of the Bill is to prevent professional racetrack gambling and not betting between private parties.

Mr. MEREDITH.—Does that assume that there is a professional gambling class in Canada?

The CHAIRMAN.—It does assume that there are professional gamblers who come to Canadian race tracks. Wherever they come from I do not know or do not care.

Mr. MEREDITH.—Then how do you interpret 'professional gambling'?

The CHAIRMAN.—Well, now, Mr. Meredith, you are not going to lead me into a long harangue as to what the Bill means.

Mr. MCCARTHY.—I suppose we have got no power to lead you but you have the power to lead us. We may try and discuss it very fully but there will be no ignoring the fact that one branch of the community will understand the matter one way and another branch of the community will understand it in another way.

Mr. RANEY.—If I may be permitted to say a word or two, I do not want to spend a half an hour on this point. I will frame my question so as to get away from the Bill altogether. I am content to do that in order to get along.

Mr. MOSS.—I was going to ask if the Chairman would be kind enough to define to us, some time, what he meant by 'professional gamblers' as distinguished from 'amateur gamblers,' because it has been said by one of the highest legal authorities in the land, Lord Halsbury, that there is no valid definition in law that can be drawn between professional and amateur gamblers.

The CHAIRMAN.—It does not say a word in the Bill either about professional or amateur gamblers. What I want to suggest is that it is unwise for us to take up the time when witnesses are here whose time is valuable; we can discuss that matter between ourselves when the time is not so valuable as it is now.

Mr. MCCARTHY.—If Mr. Raney will keep to the Bill we will have no more quarrelling.

By Mr. Raney:

Q. Mr. Beck, would you consider a Bill or a law which would make bookmaking—professional bookmaking on the race tracks—a menace to the horse racing industry in Canada?

Mr. MOSS.—Will you revise your question, because it is not complete as it is put?

The CHAIRMAN.—We have one solicitor here representing one side of the case—I have endeavoured to be perfectly impartial, and while I am certainly in favour of the Bill, I do not want to favour one side more than another—and half a dozen representatives of the other side of the case. I think it will be very much better to let one solicitor proceed with his case with the least possible interference—so long as the witness understands the questions—from the other solicitors.

By Mr. Raney:

Q. Would you consider such a measure as that a menace to the horse racing industry?—A. That is a difficult question to answer, and I think could only be ascertained by actual experience. I might say that I am not identified with any racing association; I am not a member even of a racing association; I have no knowledge of the moneys that are necessary, or the way they acquire them, to continue racing and to give purses that will induce men to race their horses. I know that the effect would be that if there is less racing, consequently there would probably be less breeding of the thoroughbred in this country. That is a question for the associations and the men who are identified with them to answer, they knowing what is required to make racing possible. I have no knowledge of what is required. The purses are an incentive to the races and racing is an incentive to the breeding of the thoroughbred.

Q. Could you tell me, Mr. Beck, what, in your opinion, if you have any views on the subject, has been the tendency of horse racing in Canada during the past few years

in regard to the honesty of the race course?—A. Well, with regard to that I am unable to say; that there is dishonesty there is no question about it, and I suppose that applies to any sport or even profession that is dishonest, but to what extent the dishonesty exists I am not prepared to say; I have no knowledge.

Q. Are you prepared to say or to give an opinion whether that dishonesty has been on the increase or otherwise during the past few years?—A. No, I am not able to say.

Q. Do you know that a large percentage of bookmakers who make books on the Ontario tracks, at the Woodbine, Hamilton and elsewhere, are Americans?—A. I presume they are, a large number of them.

Q. The great majority of them, I think?—A. Probably they are.

Q. And do you know whether there has been an increased infusion, if I may use the word, of the American element into these tracks during later years—the last two or three years?—A. Probably the more recent element is.

Q. And do you know whether these men are, as a class, devoted in the main to horse racing as a sport, or are they devoted to the gambling side of the business?—A. I imagine some of them are; with some of them it is a profession, and I think that with others, such men as Mr. Clyde, of the Clyde Steamship Company, and others like him who come here, it is a sport and a hobby.

Q. Are there many of that class come to Hamilton and Toronto?—A. I think some of the better and larger stables are owned by men of Mr. Clyde's calibre and standing in the community, but I think the smaller stables are owned by men who make a profession of it.

Q. There is that distinction between the stables—some stables are owned by horse-men, men who breed for the sake of the horse and for the love of the horse, and there are other stables which are owned by men who make the business subsidiary to the gambling interest in it?—A. Well, I imagine that a very large number of horsemen are not breeders at all, and a larger number of breeders are not entirely racing men.

Q. There are breeders, a great many of them, who are not racing men?—A. I think so, some of them breed for the purpose of selling the offspring, and others breed to race and they also buy to race.

Q. Can you say whether there has been any deterioration in the racing associations within the last two or three years, if you like, in the quality of the attendance at the race track?—A. Well, the only experience I have, the only races I have attended, and that was only for a day or two, was in Toronto, Hamilton and Montreal, and I imagine that the class of people from those cities at least are of as good standing and position in their social relations as there ever has been.

Q. Any deterioration would be by reason of the influx from abroad?

Question objected to by Mr. McCarthy.

A. I have not a thorough knowledge, I do not want to be guessing, I am under oath, and I am most anxious to answer, I can only give to the best of my knowledge. You asked me about the American invasion, Mr. Raney.

Q. Yes?—A. I have no knowledge of the number coming any more than what I hear, and anyway I imagine if the racing is curtailed in the United States it would probably have the effect of causing more horsemen to come to our meetings, whether they are honourable men or not I have not the least possible chance of knowing.

Q. That is you do not know personally?—A. No.

Q. I suppose I might ask you here as to your impression from what you have heard, but I think I will not ask that question.

Mr. McCARTHY.—We do not object to the witness giving his impression, so long as we get his impression and not yours.

By Mr. Raney:

Q. Then Mr. Beck has horse racing, as we have been having it in Canada during the past few years, had any appreciable affect on horse breeding in Ontario? We will confine ourselves to Ontario, I suppose.—A. The only effect horse racing could have—you mean the general breeding of the ordinary utility horse in the country I suppose?

APPENDIX No. 6

Q. Yes?—A. The improvement in the breed of horses would entirely depend upon the number of horses of the thoroughbred in service, and I believe, as I understand it, there is a bureau established here to send horses through the country to sell them or put them into the hands of farmers or others for the special purpose of improving the breed of horses.

Q. Something has been said about the use of broken-down race horses as sires, horses who have seen their day on the race-track; what do you say as to that?—A. Well if he has broken down from any unsoundness, he should never be bred, he should probably be sent to Germany and made sausage meat of, but if he has broken down because of a strain or a wrench, not consisting of any unsoundness, his usefulness in the stud is just as great as that of a horse that has not broken down.

Q. And do you know of horses that have seen their day on the race-tracks that are being used for this purpose?—A. Yes they are unfit for the purpose. Horses that are disposed of to farmers or some other men who take them because they are cheap and for the little they can make out of it are a detriment, but the thoroughbreds who pass through the bureau that we have now are a decided help to the breeding interests of the country.

Q. Will you tell me what is the extent, if you know it, of the horse-breeding, of the thoroughbred horse-breeding industry in Canada?—A. Well the only real demonstration we have ever had in this country in my time was the time of the South African war, when the remount officers came to this country. They came into the district where I have been living and buying and breeding horses and furnishing stallions to the farmers to breed to. It was undoubtedly demonstrated that that district supplied more remount horses than all the rest of Canada put together.

Q. That is the London district?—A. Yes. Because we have had I suppose the thoroughbred there for a longer period. It goes back to the time when the British officers came over with their thoroughbreds and their chargers in the fifties and that blood being left there crossed with the blood coming in, and has left a horse that is very suitable for cavalry and army purposes.

Q. What is the extent of the thoroughbred industry in Canada?—A. Thoroughbred breeding?

Q. Yes.—A. I suppose it is more extensive than it has been. I would not say it has been a very great factor in this country.

Q. How many breeders are there in Ontario?—A. That profess to breed thoroughbreds?

Q. Yes.—A. Oh, I suppose six or eight may cover them altogether.

Q. I suppose Mr. Seagram, Mr. Dymont, Mr. Hendrie are the principal ones?—A. And I believe the lady that has just come over.

Q. At Cobourg?—A. Yes.

Mr. McCARTHY.—Mr. Davies is another breeder.

Mr. RANEY.—I think half a dozen would probably cover the number.

Mr. MOSS.—And there is Mr. McKenzie also.

The WITNESS.—I think there are more men breeding thoroughbreds probably in Ontario now than there have been.

Mr. McCARTHY.—Six will not cover the number.

The WITNESS.—I am only speaking of what I know. I do not call myself a breeder in the same sense. Breeding four or five mares is not breeding compared with four or five hundred as they have it in the United States or in England.

A VOICE.—They do not breed four or five hundred in England.

The WITNESS.—In the United States, Mr. Haggin, and I suppose a few others, have that number.

By Mr. Raney:

Q. Have you any knowledge, derived from personal observation, or any other source as to the effect of the New York law along this line on horse-breeding?—A. No I do not. I believe there are more thoroughbreds in the last five years in use through

1-2 GEORGE V., A. 1911

the State of New York than there ever were before but I do not know why or what the effect of it is. The jockey club has encouraged the breeding of the thoroughbred by giving these horses to the farmers.

Q. Do you know whether, since what is known as the Hughes' law was passed, there has been any depreciation in value of the first quality of thoroughbred horses in New York State?—A. The first quality?

Q. Yes.—A. Probably the first quality of horses of any breed at the present time is as high as I have ever known it to be in all countries.

Q. I am told that the first quality of thoroughbred horses in New York State commands to-day a higher price than ever before.—A. That is probably correct.

Q. Then it is said that some stables in New York State have been closed as a result of the Hughes' law.—A. I know nothing about that.

Q. Have you heard that that has been so?—A. No I do not know anything about it.

Q. Have you sometimes attended the races at Saratoga or elsewhere in the State of New York?—A. Not in the past ten or twelve years I have not.

Q. Have you any knowledge of the effect the Hughes' law has had on the attendance at the races in New York State?—A. Only what I see in the press.

Q. And have you gathered some impressions from what you have read in that way?—A. I think the result of it has been a reduction, or, at least, a lowering of the stakes. I do not think they give the same sized purses—that I do know—that they did give formerly; the purses are smaller.

Q. And as to the attendance what would you say, do you know anything about that?—A. Only what I read that it is very much smaller.

Q. Now several horsemen have been before the committee and some of them have said that if bookmaking were prohibited on the race-tracks there would be an end at once of horse-racing.—A. Well that would entirely depend upon the men, I suppose, who are willing to contribute towards the purses, if the income is not sufficient to give purses to induce people to race.

Q. Would it occur to you that if it be true that the enactment of a law against racetrack bookmaking would be to impair the attendance and the revenue of the racetrack people, the deficiency might be made up some other way?—A. Well I could not imagine unless they do what Pierre Lorillard and Belmont do, put their hands into their pockets.

Q. Or unless the State were interested?—A. In giving purses?

Q. Unless the State were interested in the business. They could subsidize the races by offering prizes themselves as is done I believe in France and some other countries.—A. As we do in the case of the beet-sugar interest or sugar beets. I will have to get into touch with the Minister of Agriculture.

Q. And see what he has to say about it?—A. I know he is very slow in giving the horse shows any contribution.

By the Chairman:

Q. I want to ask you some questions but I do not want to detain you at all.—A. No hurry, I am all right.

Q. You spoke in the early part of your evidence of racing as being a test of the powers of a thoroughbred horse. To what extent do you think that racing as we have it in Canada develops the thoroughbred horse?—A. Well it is an equal test in Canada to any other country.

Q. Yes I can easily see that it is a test of the horse's endurance and speed and so on but is it of special value? In view of the length of track, the length of race we have in Canada, to what extent is that of value in developing or increasing the power of the thoroughbred horse?—A. Well it is the only means we have of ascertaining the staying power of a horse, by racing him; unless you can devise some means of testing him by drawing a load, but that would be for another purpose. In the trotter and in the thoroughbred, I do not think we are considering the trotter sufficiently, he has

APPENDIX No. 6

been developed from one generation to another for the purpose of the speed that he shows and the stamina in being able to repeat miles one after another.

Q. I can easily understand that the race track is perhaps the best method that you have in the way of picking out a good horse from a poor one?—A. The only one.

Q. But to what degree is the stamina of the thoroughbred horse the result of his racing, and to what extent is it the result say of the inherent quality in the blood of the thoroughbred horse?—A. We have come to a high state of efficiency in the thoroughbred by breeding horses that have proved themselves capable of winning races, and with the mare in the same way, the mare that produces a winner we continue to breed from and she becomes valuable by the fact that she has produced horses that can win a race.

Q. You are a dealer and exhibitor of jumpers and hunters I understand?—A. Yes, I have five, and I use the half-bred for hunting and carrying purposes.

Q. If you are breeding horses as jumpers and hunters, if you had the choice of two horses, each one as far as you could judge from appearance a pretty horse, how much more value would you place upon the horse that had a record on the track than on the other horse which had never been on the track and being untried had no record?—A. Well, the half-bred horse has no record.

Q. I mean using a sire that is thoroughbred.—A. I do not know that that is a great factor in the half-bred, of course we prefer to breed from a horse that has won races because we know that he has the courage, and when you have a hunter or a saddle horse and want to go over a fence, and take your life in your hands in doing so, you want to know that he has the courage; if he has not the courage you know what he will do, he will go there, and you know where you will land, at least I know from experience where I have landed.

Q. You were speaking of the standard bred horse, and it has been said that the breeders of the standard bred in breeding for speed alone have brought about a deterioration of the standard bred horse?—A. The harness horse?

Q. Yes, that they have lost sight of everything else and tried only to get speed?—A. They have neglected conformation entirely.

Q. Has the same thing taken place in breeding the thoroughbred for racing?—A. Well, to a certain extent, but in the thoroughbred you must have substance. In the case of the standardbred he carries one weight and that is the lightest weight you can put behind him, whereas with the thoroughbred horse the best one is the one that can go a distance and can carry a weight, you must have a horse that can carry weight, the horse that cannot carry weight and has not courage is weeded out, he is no good for racing but in the trotting horse it does not matter.

Q. I was talking the other day to a gentleman who is well acquainted with racing and sporting, and who is well acquainted with racing in Great Britain, and he told me that the races in Britain were over a much longer course than in Canada and that the racing over the usual short courses in Canada was not any test of the endurance of the horse. Would you say that he was correct in that?—A. No, I would not think that he is correct. I think there are more short races in this country than in England, but I would not say that we haven't horses that could go the distance as readily as the horses in England. As a matter of training, I think that our trainers are liable to train horses to go shorter distances.

Mr. MCCARTHY.—Therefore that gentleman was not speaking on information as to the state of things that exists in Canada.

The CHAIRMAN.—No, not at all, he was comparing the English horse with the Canadian horse, but he was comparing the length of the Canadian with the English races, and he said that our races were so short that they were not a proper test of the endurance of the horse as were the long races run in England.—A. I think we have more short races than they have in England, but we have as long races as they have and the American horse has demonstrated by going over to England and winning races that he can go the longer distance, and in France also he has demonstrated that fact.

1-2 GEORGE V., A. 1911

By Mr. McCarthy:

Q. Is there any reason why the race should be a little shorter at the Woodbine than in England?—A. Well, the spring races have to be shorter because the two year olds are younger here, they are not two years old really, because we cannot condition our horses properly here owing to the seasons. If I have taken any exception at all it is that the course for the King's plate is rather too long for that reason.

By Mr. Martin (Regina):

Q. One or two horsemen have given evidence that if professional bookmaking were stopped on the racetracks they would close their stables for breeding, would you go as far as that yourself?—A. No, I would not say I would go as far as that, that is entirely a matter of whether a man is in it for gain or not. You cannot expect people to do anything for fun any more in horse breeding than you can in anything else. Farmers are not breeding horses for fun but to make money out of it.

By Mr. Raney:

Q. From what you have said it is quite clear that you are not in it for gain?—A. Well, if I were I have not accomplished my object yet.

Q. Well, as a horseman and a sportsman, would you approve of a law which would make racetrack bookmaking unlawful?—A. Well, that is rather a hard question to answer; do you mean from a moral standpoint or from a breeding standpoint?

Q. From your standpoint as a horseman.

Mr. MEREDITH.—As a man.

A. Well, I suppose if bad comes from betting on the track as well as if it comes from gambling in any kind of stocks, mines, or any other kind of gambling, it is bound to create a hardship somewhere, among some people.

Q. Having in mind, not simply the loss that might come to any individual, but to the general interest of the horsemen and the community at large?—A. There are two kinds of betting man. One man has not much interest in racing unless he has \$1 or \$5 on the race; he indulges in that feeling, and he would not go there if he did not. The other man is the professional bettor, who goes there to make all he can.

Q. That is the professional man we are after?—A. I do not know how you are going to discriminate; it is a pretty hard thing to do. Every man likes to make a dollar you know, and he would prefer to win his bet rather than lose it, even if he gives the money to a church afterwards.

Q. As I understand, some of them do?—A. Yes, I think they do. I think there are horsemen who are as liberal to the charities as any other people.

Q. Then, bearing all these things in mind, and bringing it back again to yourself, would you approve of a law which would make racetrack bookmaking unlawful?—A. Well, I think gambling, as we have had it on the streets and in the handbook and all the other ways that we have gambling in this country, is not in the best interests of morality.

Q. That is all a menace, of course——

Mr. MOSS.—No.

Mr. RANEY.—Well, now, let the witness speak.

Mr. MOSS.—You are not asking the witness to speak, you are making a statement yourself.

Mr. RANEY.—Of course, the witness is not capable of taking care of himself.

Mr. MCCARTHY.—We would not like to insult Mr. Beck like that.

The WITNESS.—You cannot insult me.

By Mr. Raney:

Q. Will you answer the question, please?—A. If you ask me, I say now that the racetrack gambling or the betting on the racetrack is probably the smallest feature in the gambling and betting on horses that we have in Canada. Probably there is as

APPENDIX No. 6

much betting going on amongst the men who make it a profession, at any rate in Canada, during the winter months as there is in the summer months, and I do believe that that betting is done by unscrupulous men on the street and maybe in houses where the young man or anybody else knows he can make a wager. I think the average man, the decent man, or the man who goes for sport to the race track and makes his bet, does it for the interest that it creates in that race, whereas the man who bets all the winter does it in a professional sense. He is betting on the returns he gets from the tracks all over the United States; we have not any in Canada, as you know; and I think that fact is probably worse, because the young man cannot go to the race track, but he has the same facilities on the street and other places to make his bet and wager and become addicted to gambling as he has on the race track.

Q. Then, so far as you are personally concerned, you would be glad to see it all cut out?

Mr. McCARTHY.—What all cut out?

Mr. RANEY.—All the racetrack gambling.

Mr. MOSS.—Racetrack betting, do you mean?

Mr. RANEY.—All the racetrack professional gambling.

The WITNESS.—Well, I think that is a physical impossibility to eliminate gambling. If they do not do it on race horses, they will do it on cock fights or something else. I will tell you why I say so. A man in Windsor traded a horse for a game rooster. The horse broke him and the game rooster gave him a fortune.

By Mr. Stratton:

Q. Then, Mr. Beck, would you approve of a law that would confine all betting to the race track and make it illegal to bet off the race track?—A. Well, I think you would be accomplishing a very great good if you did that.

Q. And do you believe that limiting the number of days in the year in which any race track in Canada may have racing would be a good thing?—A. I certainly think so.

Q. What do you think that limitation should be?—A. I should limit it to a week or two, not more.

Q. Do you mean in the spring, or altogether?—A. At one time in one place.

Q. That would be thirty days in the year, would it?—A. Yes, if you have two meetings.

The CHAIRMAN.—If nobody else has questions to ask Mr. Beck, I will give him permission to retire. Mr. Beck, we are very much obliged to you for your attendance.

Hon. Mr. BECK.—You are very welcome. I hope I have been of some use. Thank you very much for giving me the opportunity of expressing my views.

Witness discharged.

Mr. GEORGE W. COOK, called, sworn and examined.

By Mr. Meredith, K.C.:

Q. Mr. Cook, you are a resident of Montreal, are you not?—A. I am living in Montreal at present, yes.

Q. Have you done any breeding of thoroughbreds in Canada?—A. Yes, I am breeding at Morrisburg, Ont.

Q. For about how many years have you bred?—A. About sixteen years.

Q. As to the necessity of the thoroughbred in Canada, you have heard the evidence given here already as to the necessity of a thoroughbred strain, not only for race horses, but for hunting and carriage horses and for remounts; do you agree with that evidence?—A. I do. I think that the thoroughbred blood is essential for that purpose.

1-2 GEORGE V., A. 1911

Q. Now as a breeder of horses can you tell us whether in your opinion the existence of race tracks such as Woodbine, the Montreal Jockey Club, and the Hamilton, are absolutely essential to the breeder?—A. Absolutely. I think it is the only way you can select your finest horses to breed from.

Q. If you had not such race tracks would you keep on your breeding establishment?—A. Decidedly not.

Q. What would you do with your animals?—A. I would sell them.

Q. For what they would bring?—A. For what they would bring.

Q. You have no hesitation in saying that?—A. None whatever.

Q. You happen to be a member of the Jockey Club?—A. Yes.

Q. Have you had occasion to go to the meets, for instance, the Montreal Jockey Club, and the Woodbine and the Hamilton?—A. Not Hamilton, I have been at the Woodbine and Montreal.

Q. Would these meets, in your opinion, be successful if the betting as it is now carried on, to some extent through the bookmaker, were abolished?—A. No, I do not think they possibly could be successful. We all have the gambling instinct developed more or less, we all like to put a bet on horses, I think, and it would, I think, result in such a decreased attendance that they would have to close up.

Q. I suppose you are no better than the rest of us—perhaps you may be better than I am—but do you see any possible difference between betting with Tom Smith on the stand on a horse that is racing before you, or about to race before you, and betting with a bookmaker who is looked after by the Jockey Club who is running the race, assuming that Jockey Club is a chartered company?—A. Well I would rather bet with the bookmaker.

Q. Why would you rather bet with the bookmaker?—A. Because he would know what proper odds to give on the horse, and Tom Smith probably would not.

Q. And you would have the odds that he was prepared to give posted before you for some little time?—A. And I could take them or leave them as I wanted to.

Q. And would the betting not be really decreased in betting with the bookmaker, owing to the fact that you would have to put up your cash?—A. I think it would be decreased.

Q. Now if this Bill passes in such a shape as will prohibit or impair this betting through bookmakers on the course for races that are being run on that day on that course what will you do with your stable? I want you to state that because I know you personally, and I know what will happen, but what would you do with your stable?—A. I would sell it.

By Mr. Raney:

Q. You, I may take it, do not look upon racetrack gambling as an evil?—A. As legal?

Q. As an evil?—A. Well, I would not call it gambling altogether, I would call it betting, I make a distinction.

Q. Call it betting, then, if you like, how do you draw the distinction?—A. I would call a gambler a man who ran a card game of any kind or a roulette wheel or something of that sort, while the man who bets on a horse I would call a better.

Q. At all events you see no evil in the business of bookmaking?—A. None whatever.

Q. Do you regard it as a matter of skill, the matter of betting with the bookmaker?—A. Skill on the part of the man who made the bet, myself for instance?

Q. Yes?—A. No, it is a question of chance; I might know nothing about it and I might take a fancy to back a certain horse.

Q. Would you call that a matter of skill?—A. No, a matter of choice. If I won I would call it a matter of skill.

Q. It would be a matter of luck?—A. No, sir.

Q. Would you yourself attend horse races where there was no betting?—A. I do not think there would be any horse racing to attend.

APPENDIX No. 6

Q. But if there were races?—A. I would attend myself.

Q. I do not suppose that the absence of betting would affect the attendance of any of the horse men who have given evidence before this committee?—A. It would not affect myself.

Q. You go for the love of the thing?—A. I do.

Q. And I suppose there are thousands of others who would go too?—A. And I suppose there are thousands of others who would not go if it were not for the betting.

Q. Can you give me any idea of what proportion of those who attend at the Montreal track make bets with the bookmakers?—A. That is a very hard matter to say, I should think over 50 per cent.

Q. You think that over 50 per cent of the people who go there find their way to the betting ring?—A. Or bet among themselves.

Q. But I am speaking of those who bet with the bookmakers. Does the Montreal Jockey Club sell the betting privileges?—A. I do not know, I am not a director of the club.

Q. Do you breed for profit?—A. No, I breed for pleasure.

Q. Then why would the presence or the absence of the race tracks effect your breeding if you are not breeding for business?—A. Well, I would not be able to select the horses to breed from for one thing, not having the race course to try them on there would be no inducement to continue breeding.

Q. I hope it would not act as badly as that?—A. It would.

By Mr. Blain:

Q. Is the number of persons on the race track who bet with bookmakers greater than the number who bet with individuals, do you think, which is the greater proportion?—A. Of those who bet with the bookmakers or with each other?

Q. Those who bet \$5 or \$2?—A. The ones that bet with the bookmakers.

Q. Are they a very much larger percentage?—A. Very much larger, yes.

By Mr. Meredith:

Q. In your attendance at any of the race tracks you have visited, have you ever seen any disorder? Anything that would upset the most fastidious visitor?—A. No, it is always a very orderly crowd that I have seen there.

Q. Have you ever heard of any bookmaker on any race course upon which you have ever been repudiating his bets?—A. Never.

By the Chairman:

Q. You spoke of not having any track of your own. Do the larger breeders of thoroughbreds in Canada have tracks on their breeding farms, do you know?—A. I do not think they have.

By Hon. Mr. Stratton:

Q. I think they have small tracks.—A. Well, Mr. Seagram brings his horses to Toronto in the spring to train, I do not know whether he has a track or not.

Mr. MEREDITH.—They are merely exercising tracks.

Witness discharged.

Mr. W. B. HENDERSON, Montreal, called and sworn.

By Mr. Meredith:

Q. Mr. Henderson you have been a farmer on the Island of Montreal for a great many years?—A. Yes, all my life.

Q. As such have you gone into the breeding of thoroughbred horses?—A. Yes, we have bred thoroughbred horses for the last 25 or 26 years.

1-2 GEORGE V., A. 1911

Q. And have you sold some of the progeny for racing, or to racers, and have you raced them yourself?—A. I have raced them and sold them for racing purposes and for saddle purposes, for hunters.

Q. When you first started, or some time after you started, I presume you had the Bel Air Jockey Club?—A. Yes, the Bel Air Jockey Club, when I started or a short time afterwards.

Q. Did that furnish an added incentive to you to start breeding?—A. Well, I had started before that but only on a very small scale.

Q. But when you heard of that it caused you to go in for breeding on a much larger scale?—A. To a larger extent.

Q. What was the result of the closing down of the Bel Air race track, which was the only race track we had in Montreal?—A. It was the cause of stopping almost altogether the breeding of race horses.

Q. Not only with you, but by all the farmers.—A. By all the farmers.

Q. There were very few stallions in the whole province, is not that a fact?—A. Sometimes there were only one or two in the whole province.

Q. You remember when the Montreal Jockey Club bought this very expensive and very excellent new track out behind the mountain about three years ago?—A. Yes.

Q. What was the result of the opening of that new track so far as the farming population of the province of Quebec on the Island of Montreal was concerned?—A. There were a great many who started breeding on that account, a great many thoroughbred stallions were brought into the country on that account, and a great many mares were brought in for breeding purposes.

Q. And you started again on a larger scale did you not?—A. Well, I just kept on, you know.

Q. Now take the last meeting of the Montreal Jockey Club, so far as horse flesh was concerned how did that compare with practically any race meeting that you have seen anywhere else, so far as horse flesh is concerned?—A. I think it compared very favourably with anything I have seen in any place.

Q. And what do you think that was largely due to?—A. It was due to the good purses that were given, the big purses.

Q. Now so far as the breeder in our province is concerned, if the Montreal Jockey Club were put out of existence, what effect in your opinion would that have on the breeding?—A. I think it would almost completely disappear.

Q. Almost completely disappear?—A. I think so.

Q. Just as it was before we had the race course and after the Bel Air was closed down?—A. Just the same.

Mr. RANEY.—Are you speaking of the last meeting in Montreal?

Mr. MEREDITH.—Yes.

Q. I hate going over this ground again, but in your opinion as a breeder is the race track essential to the breeding of thoroughbreds?—A. Surely.

Q. Surely?—A. Yes.

Q. I suppose you have visited these different race meetings we have had?—A. Yes, sir.

Q. In Montreal and elsewhere?—A. Yes.

Q. And you have naturally seen what goes on?—A. Surely.

Q. Have you ever seen—not as a saint but as a man—anything at any of these meetings which would effect the views of an honest man and one who wanted to lead an honest life?—A. No, sir.

Q. No disorder?—A. No disorder.

Q. No drunkenness?—A. No.

Q. Nothing objectionable?—A. None whatever.

Q. I presume you know there is certain betting done through the bookmakers who are looked after by the jockey club who runs the races?—A. Yes, sir.

Q. Do you see, as a man, any difference between my betting with an individual

APPENDIX No. 6

on the stand and my betting through a bookmaker on a race run on the course where I am standing?—A. None whatever.

Q. As a matter of fact does the bookmaker not practically take the place of the broker?—A. Yes, sir.

Q. The same as if I go to buy real estate or stock on the stock exchange.—A. Just the same.

Q. And in your opinion does the fact that I, Meredith, have to put up my ten or five dollars to bet with a bookmaker, have the effect of deterring me from betting more than I can really afford which is not the case if I bet with an ordinary individual that I meet on the stand?—A. I would think so.

Mr. RANEY.—Had you not better ask Mr. Meredith that?

Mr. MEREDITH.—I will ask you. I will be very glad to ask you. I will take your word for it.

Mr. RANEY.—I could not answer it.

By Mr. Meredith:

Q. Do you not think that the fact of having to part with the cash—that I would have to part with the cash to the bookmaker, would probably cause me to bet less than if I were to say, 'I will bet you one hundred dollars' and not put up the cash?—A. Yes, I think you would be more careful.

Q. More careful without being Scotch. Now what do you think as a breeder and as a person who has attended these race courses, will be the effect on the race courses if this betting of bookmakers who are looked after by the jockey clubs, were absolutely prohibited?—A. I think that the racing will have to stop.

Q. What about the breeders?—A. The breeder will suffer accordingly.

By Mr. Raney:

Q. Your attendance at the race meets, I suppose, is not in any way affected by the presence or the absence of the bookmaker?—A. Well I suppose it may be in some cases.

Q. Are you a betting man yourself?—A. Sometimes I will bet.

Q. Would you attend the meets still if there were no bookmakers?—A. Well probably I might at times.

Q. Did you ever go to these meets just for the purpose of betting?—A. Well I cannot say that I did.

Q. You said that the quality of horses at the last meet in Montreal was very high.—A. Yes.

Q. Do you know how many of them were Canadian bred?—A. There were not a great many.

Q. Do you know how many?—A. No, sir.

Q. Do you know what proportion would be Canadian bred?—A. No.

Q. Would it be ten per cent?—A. I could not say.

Q. You could not say whether ten per cent would be Canadian bred?—A. No.

Q. As a matter of fact they were nearly all American horses?—A. Well practically.

Q. Practically all American horses from the United States?

Mr. MEREDITH.—My friend has tried to make out that because we have American horses here we do not gain anything by it.

Mr. RANEY.—No.

Mr. MEREDITH.—That is the inference and so I will put this question.

Q. As a matter of fact have you not noticed in Montreal this fact, that the presence of these American horses and the fact that some of them won, has caused a lot of our friends to start breeding Canadian horses to beat them?—A. Yes, sir, wrought up the enthusiasm.

By Mr. Blain:

Q. Do you attend the county fairs in your province, the county exhibitions?—
A. Yes.

Q. Is there any considerable amount of racing at those fairs?—A. Well not the last few years since the jockey club has been in existence. We used to have them.

By Mr. Stratton:

Q. In the province of Quebec?—A. Yes, in the province of Quebec.

By Mr. Blain:

Q. And the amount of racing at county fairs in your province is decreasing?—A. Well this last few years it is, yes.

Q. The racing has been transferred to the race track, I suppose that is the reason.
—A. Well I suppose that would be the reason.

By the Chairman:

Q. Are you breeding as a commercial venture, or for the love of the thing or for racing?—A. For both. I have to breed for the commercial part just as well as for the love of it.

By Mr. Stratton:

Q. Do you raise your own horses?—A. Yes, sir.

Mr. MEREDITH.—He said he raised some and sold some.

The WITNESS.—Yes, sold some.

Witness discharged.

Mr. HUGH PATON, Montreal, called, sworn and examined.

By Mr. Meredith:

Q. Mr. Paton, you are the president of the Shedden Company of Montreal, are you not?—A. Yes, sir.

Q. There are a great many horses in the service of the company?—A. Yes.

Q. How many do they number in Montreal alone?—A. In Montreal alone?

Q. Well, anywhere, I don't care?—A. Taking it all through and with our subsidiary companies, I would say about fourteen or fifteen hundred.

Q. Your uncle was Mr. Shedden?—A. Yes, sir.

Q. The company is called after him? In his days I presume he started the company, did he?—A. Yes.

Q. Owing to the interest he took in the welfare of the horse he caused six horses to be brought over from the other side, did he not, all thoroughbreds?—A. Yes, he imported very largely of thoroughbred mares and stallions, too.

Q. I presume his idea was the necessity of the thoroughbred to cross with the Canadian mare?—A. That was it.

Q. And do you have the same views as he had as to the necessity of the thoroughbred strain in Canada and the importance of it?—A. Yes, I have continued on the same lines.

Q. Now, you have been a breeder of horses, have you not?—A. Oh, yes.

Q. For how many years?—A. Well, I might say for thirty years.

Q. On the Island of Montreal, where land is fairly expensive. About how many acres have you in your own personal name and in trust for sport and amusement?—
A. I would say over 1,500 acres.

Q. Now, you say you have been breeding for some time. You are aware of the contents of this Bill which is before this committee?—A. Yes, I am aware of its contents.

APPENDIX No. 6

Q. Now, first of all, as a breeder, is the race track essential to you as we have it, for instance, in Montreal?—A. I consider it such, yes.

Q. For the ordinary breeder who is not wealthy comparatively, is a generous purse essential as a prize?—A. To induce the breeder to breed?

Q. Yes?—A. Oh, certainly.

Q. Now, as to this Bill, I understand it is interpreted to mean that it will do away with betting through the bookmakers on a race track at the time of a meeting; it will do away with the betting by individuals through bookmakers on races at the time of the meet?—A. I understand that.

Q. If that Bill passes in that shape, what effect will that have on you as far as breeding is concerned?—A. It would have a very serious effect I should think.

Q. As a matter of fact, would you close down breeding or would you not?—A. I would find it necessary, yes.

Q. As a matter of fact, have you not started within the past year to build a track on the Island of Montreal for the purpose of exercising horses, the track alone having cost \$20,000?—A. I do not call it a track.

Q. You do not call it a track, but an exercising ground?—A. An exercising ground, yes.

Q. It is not fully finished yet?—A. No.

Q. If this Bill goes through will that also be discontinued?—A. I will have to turn it to other purposes.

Q. Now, do you see, as a man, any difference between betting between individuals on the race course and betting between an individual and a bookmaker on a race course for a race that is going on when the bookmaker has proper supervision over him through the association or club who are conducting the races?—A. Well, I am not a betting man, Mr. Meredith. I have taken a bet occasionally; I am not a betting man, but I would not see any difference; if there was any, I would say it was in favour of betting through an agent.

Q. That is through the bookmaker?—A. Through the bookmaker, yes.

By Hon. Mr. Stratton:

Q. Did you win when you made that bet?—A. I have won several. I have probably had an average in the last forty years of about forty bets, one a year, and I have won the most of them.

By Mr. Meredith:

Q. By the way, you have been connected, you have taken an interest in horseflesh for a great number of years?—A. Yes.

Q. And among other things you have been connected with the Montreal hunt, probably more intimately than any one else?—A. Yes. I was secretary for a great many years, and then I became master for one season.

Q. And you have always been connected with it?—A. For the last thirty-five years.

Q. I suppose we all know that you are a director of the Royal Bank, a director of the Bell Telephone Company and a number of other important institutions, are you not?—A. Yes.

By Mr. Raney:

Q. I understand you are a breeder of thoroughbreds?—A. Yes.

Q. Thoroughbred racing horses?—A. Yes.

Q. Did you say how many thoroughbred racing horses you have now in your stable?—A. Do you mean of my own? I have probably five or six of my own.

Q. And how many stallions?—A. No stallions, I am interested in a stallion with two or three gentlemen in Montreal, we bought the celebrated horse they call 'Floral King.' Mr. Charles Campbell, your late partner Mr. Meredith, was in partnership with me in that. We own the stallion yet but I cannot say it is mine.

1-2 GEORGE V., A. 1911

Q. Was your stable large in recent years?—A. Yes, I have had as many as ten or twelve horses racing at one time.

Q. Within the last 12 or 15 years?—A. No, within the last six years.

Q. Something was said about 1,500 horses, I thought?—A. Yes, that is in connection with my business.

Q. What horses are they?—A. Those are thoroughbred, Clydes, many of them.

Q. The evidence left the impression on my mind that there were 1,500 thoroughbred horses?—A. Thoroughbred Clydes, many of them.

Q. You are quite sanguine that if this Bill passes horse breeding will be killed?—A. I feel sure of it.

Q. Not the breeding of the Clyde horses, of course?—A. Not as long as they can earn their money.

Q. Were you building a \$20,000 exercising ground for 5 or 6 mares?—A. No, but I am building a stable that will hold 40 or 50 horses, and the track around the exercising ground will be able to accommodate twice that number.

Q. Do you intend to put in 40 or 50 thoroughbred racing horses?—A. With my friends, yes. I have several there now belonging to friends of mine who have bought them recently.

Q. Now, do you say that the effect of the Bill would be to close down thoroughbred breeding?—A. Well, there would be no encouragement to breed them.

Q. Is that your own opinion or is that what you have been told?—A. No, it is what I know.

Q. Might it not be that horse racing will be continued after bookmaking has been stopped?—A. No, I do not see how it could.

Q. Do you know how old bookmaking is on the Canadian tracks?—A. I think there has been bookmaking ever since I commenced to race.

Q. How long is it there has been bookmaking as it is carried on now on the Canadian tracks, with perhaps 50 bookmakers in the betting ring?—A. It might have been 20 years.

Q. There was horse racing long before that?—A. Yes, a great deal of horse racing.

Q. And successful horse racing too?—A. Yes.

By Mr. Meredith:

Q. When my learned friend says there was successful horse racing over 20 years ago do you happen to remember the small fields there were, I can go back for 15 years; do you remember the small fields of two or three horses, and the poor class of horses they were?—A. Yes, and I can remember many occasions when the stewards would put their hands in their pockets and offer a premium for the horses to start.

Q. Are there not a number of gentlemen of means in Montreal who since the Jockey Club has started, have commenced buying and breeding horses owing to that fact?—A. Yes, sir.

Q. And have not some of them, well known gentlemen, made arrangements with you already?—A. Yes, sir.

Q. I do not profess to give names at the moment but there are well known men of means who wish to put their horses into your stable to look after them?—A. Yes, they have asked me.

By the Chairman:

Q. You are a lover of thoroughbred horses and have been breeding them for a long time have you?—A. Yes, sir.

Q. You say that the large purses offered at race meetings are a great help to breeders?—A. Yes, sir.

Q. And if it were not for the large purses you would shut down your breeding establishment?—A. Well if they were reasonably large I would probably strive to continue.

APPENDIX No. 6

Q. If they were reasonably large?—A. If they were reasonably large.

Q. Otherwise you would shut down and quit breeding?—A. Certainly, I would have to.

Q. How many years have you been breeding thoroughbred horses?—A. I can go back to the year—I had a good deal to do with the importation of those horses of Mr. Shedden's in 1871. They did not belong to me.

Q. And you have been breeding since then?—A. No, I commenced two or three years afterwards, after Mr. Shedden's death.

Q. Then since 1875 you have been breeding thoroughbred horses yourself.—
A. Yes, sir.

Q. In 1875 were there any large purses being paid in your district or neighbourhood?—A. Not compared to what they are now.

Q. And still you were breeding?—A. Yes.

Q. You were breeding then without the large purses?—A. Yes, I bred specially for the King's Plate—the Queen's plate it was then.

Q. The question in my mind is this: If in 1875 you could, and did, successfully breed thoroughbred horses without large purses why can you not do it in 1910, when you are carrying on a successful business and have much more means at your disposal to-day than you had then?—A. Well those races that I contested for it was more the honour of the thing—to win the King's Plate.

Q. What I mean is this: If you raised and bred thoroughbred horses in 1875 for the honour of the thing—?—A. Yes.

Q. Why would you not do the same thing now when you a much wealthier man than you were in 1875?—A. Oh, I would leave it to younger people I think. I was giving my experience.

Q. Now as to the bookmaker. You said you could not see any difference between betting with the bookmaker and making private bets on the course. I want to get some information from you as to the methods of the bookmaker. I would understand that a man following the business of the bookmaker would want to do the same as a man in any other line, he would want to develop and push his business. What means does the bookmaker adopt of pushing his business on the track or of advertising and attracting people to it?—A. I don't know that I ever saw them pushing it at all in my experience.

Q. Do they go around and solicit bets?—A. No I never saw anyone do that.

Q. Just one more question. You are a director of a number of successful financial institutions and no doubt employ a great many men who must be trustworthy. Would you as willingly employ a man for a trusted and responsible position in any financial institution with which you are connected knowing that he was in the habit of as they say, playing the races?—A. Up to this year I would say what has been the case: I never had a case yet of any one jeopardizing themselves.

Q. If two men otherwise equally efficient and with equally good records presented themselves to you for employment, for any position of trust, and you knew that one of them played the races and the other did not, you would just as soon take the one as the other, other things being equal, would you?—A. Well I do not understand what playing the races means but would be just as pleased to hear that either took their holiday on Saturday afternoon at the race course as anywhere else.

Mr. MEREDITH.—I would ask you if you would not mind—it is an important question and we can give you all the evidence you want on that point I think from any number of directors in any company you wish in Canada—but as to 'playing the races' I do not think my friend Mr. Paton understands what it means.

The CHAIRMAN.—Then I will try and explain it. I will put it in another way.

Mr. MEREDITH.—Put it going to the races in the ordinary way a man will go and he will understand it.

By the Chairman:

Q. I will not say 'playing the races' but I will say, suppose one man was in the

1-2 GEORGE V., A. 1911

habit of betting with the bookmakers on the race track and the other man never did that, and otherwise the one was as good a man as the other, would that make any difference to you in choosing between them?—A. No it would not prejudice me against him at all.

The CHAIRMAN.—That is a fair answer.

By Mr. Meredith:

Q. If it entered into consideration at all, so that you made inquiries, you would probably inquire whether they engaged in other speculations, mining speculation as much as whether they went to the race tracks, that is if you considered the matter at all?—A. Yes I would be more likely to.

By Mr. Blain:

Q. Mr. Paton, what would you say as to transferring the bookmaking from its present position to the Jockey Clubs, say allowing the Jockey Club to control all the bookmaking for a race meet?—A. And engage the bookmakers?

Q. Yes and the Jockey Club being responsible?—A. I understand that is what they do.

Q. As I understand the Jockey Club sells the right to the bookmaker to carry on his business on the race track. My question is, what would you say as to prohibiting that altogether and confining it entirely to the association itself?—A. I look upon the association just now as responsible for everything that takes place on the course.

Q. I suppose that is correct?—A. Yes. I don't know what their arrangements are. Although I am a director of the Jockey Club I am not on the executive and this organization has only been in existence a few years.

By the Chairman:

Q. Supposing, as I am informed sometimes happens, the bookmaker goes broke and clears out, is the Jockey Club responsible then for the payment of his undertaking?—A. I think it would be. I never heard of a case of the kind.

Mr. MEREDITH.—It has never happened.

By the Chairman:

Q. Not in Canada?—A. It has never happened in Montreal because I have been at every race meeting, I think, for the last thirty-five years.

By Mr. Blain:

Q. What would you say as to shortening the number of days for the race meet?—A. I don't believe in these extended race meetings I do not think they are fully appreciated and I think it much better they should be curtailed.

Q. To how many days?—A. Well I would say do not let them run more than eighteen days at the outside.

Q. Two meetings each year?—A. Passing over the week end and then on to the next Saturday, eighteen days at the outside.

By the Chairman:

Q. Each meeting?—A. Two meets would be quite sufficient.

By Mr. Blain:

Q. That would be thirty-six days at the outside?—A. At the outside.

By Mr. Meredith:

Q. What would you consider the lowest period that would be sufficient to make it pay its way?—A. Oh, I fancy at some race meetings they could not afford to run over three or four days at all.

APPENDIX No. 6

By Mr. Blain:

Q. How would ten days do?—A. I don't know that you could get the congregation of horses together that would make a successful meet in ten days.

By Mr. Sinclair:

Q. What is the length of time your race meeting extends at present?—A. I think last year it was fourteen days.

By Mr. McCarthy:

Q. The stables that have been spoken of namely the Dymont, Seagram, Hendrie, Mackenzie, Davies, Beck and the Livingstone all come from Toronto and west of Toronto, except Mrs. Livingstone's stable, so that Montreal stands in the position of being a little more isolated than Hamilton, Toronto, Fort Erie or Windsor?—A. We are at a disadvantage there, yes.

Q. So that when you speak of eighteen days you are referring to Montreal's conditions.—A. Exactly.

Mr. McCARTHY.—It sounds reasonable.

The CHAIRMAN.—It has been suggested by another member of the committee that it is drawing near to our adjournment hour and possibly there may be a witness here from a distance—I have no one in mind—to whom it would be quite a convenience to get away to-night, and perhaps if there be such a witness it may not take a long time to examine him.

Mr. COUNSELL.—There is Mr. Loudon from Hamilton, and he has to be in Hamilton to-morrow. He has his books here.

The CHAIRMAN.—We might take him now.

Mr. MEREDITH.—I want to call a witness who will be very brief. He is also going away to-night.

BARTLETT McLENNAN, Montreal, called and sworn.

By Mr. Meredith:

Q. You for some years, for a great many years, have taken an interest in horse racing have you not, Mr. McLennan?—A. Yes.

Q. And you have given a great deal of your leisure time to the horse?—A. Yes.

Q. Your business, I presume, you are president of the Montreal Transportation company?—A. Yes.

Q. And a director of the Montreal Rolling Mills and other large concerns?—A. Yes.

Q. And as such you have a great deal to do with labour?—A. Yes, we have a lot of employees.

Q. Now, have you had occasion to visit the race tracks, you have run and owned race horses?—A. Yes.

Q. And you have bred them too at different times?—A. In a small way.

Q. You have run horses not only in Canada but in the United States?—A. Yes.

Q. Now, have you had occasion to visit the tracks in the United States before the Hughes' Bill was passed and also since the Hughes' Bill was passed?—A. Yes, I have.

Q. Now, would you tell the gentlemen of this committee what you found on the tracks of the United States before the Hughes' Bill was passed insofar as the attendance was concerned, and what you found on the same tracks when you went there immediately after the Hughes' Bill was passed, and before the full effect of it was felt?—A. The most notable comparison I can give is that I was at Belmont Park in 1907 on the day the champion steeplechase was run and there were upwards of 40,000 people there on that occasion; the following year, when the Hughes' Bill had been in force for about three months I think I was there again and one of the stands was completely closed, the other being only partly filled, that was on the same course, on a corresponding day, it was an equally fine day, and the grand stand had only what looked like a sprinkling of people, although it was said there was 6,000 or 7,000 people

there, it was a very large stand, and there did not appear to be very many in it. The year previous on the corresponding day there had been 40,000 people.

Q. And from what you saw the previous year you thought there were 40,000 there?—A. It was an enormous concourse of people, I had no means of judging the exact number, but it was a great sight to see the people; the next year the appearance of the track was completely changed, and instead of being a beautiful sight it looked like a mere handful of people, the great number of ladies were not there, and evidently the racing was not looked on with any interest.

Q. How did the class of people attending after the Hughes' Bill was passed compare with the class of people you saw there the year before the Hughes' Bill passed?—A. I intended it to be inferred from my last answer that it did not look the same.

Q. Without making a broad assertion you did not find they were as fine looking a lot of people?—A. Not as attractive to look at.

Q. From the fact that the Hughes' Bill had only been passed that year, the breeders would naturally, I suppose still have their horses in training, but even in that short time the purses had decreased I understand?—A. Very materially, in that particular race the association had only added \$2,000 that autumn, and they had added \$10,000 the year previous.

Q. As a matter of fact, when you went back after the Hughes' bill had passed, and when the bookmakers were not allowed to bet, did you not find on the stand people coming up and soliciting bets who were really practically bookmakers only disguised and were worse than ordinary bookmakers?—A. It was difficult for any visitor to make a bet, but apparently any person who knew the ropes found those who were ready to bet with him.

Q. And the danger of betting with that class, men you did not know, was really greater than in betting with the bookmakers?—A. You would have to go back again the next day to collect your money if you won, or it practically prohibited the visitor from betting.

Q. So that you might be betting with a bookmaker in disguise and think you were betting with an ordinary spectator?—A. Yes, that is it.

Q. Now, Mr. McLennan, you are also and have been for years a member of the hunt?—A. Yes.

Q. Now, being a breeder, and knowing the value of improving the breed in Canada, as a matter of fact is Canada in need of more of the thoroughbred strain than we have at present? Is it not a fact that we actually have not much of it in Quebec?—A. There is no question about it, it certainly does need more of it in the part of the country I know about, in Quebec we cannot buy a high class hunter that was bred there.

Q. And it is needed there still?—A. It is just beginning to come in.

Q. What will be the effect of this Bill on the breeder, and on the race track if the Bill goes through in such shape as will prevent betting by individuals with the bookmaker who is looked after and supervised by a chartered jockey club?—A. I feel that the attendance at the race tracks will drop off at once.

Q. And following that out what will be the effect of that?—A. The racing association or the club, or whatever you like to call it cannot give the purses.

Q. And without the purses?—A. Well, without the purses the breeder is not going to breed; he must have the hope of winning some money.

Q. Now, as a director of the numerous concerns which I know you are, and being a man who wants, as I know you do, to do what is right, I am going to put a question as it was put by the Chairman: Would you draw any distinction between two men who came to you for employment, the one you knew spent some of his time not in playing bridge but enjoying himself in the open air and in taking an interest in a horse race and who went and put a bet through a bookmaker, or two or three bets, commensurate with his means, and a man who does not do that?—A. No, I would not.

Q. Leaving aside altogether the fact that the man who does not do that might probably be doing something worse?—A. No, I would not make any distinction.

APPENDIX No. 6

By Mr. Blain:

Q. You are conversant with the conditions in New York state, would you care to say why the Hughes' law was passed there?—A. I think there was far too much racing in New York state, too continuous racing. They practically had racing from 15th of April to 15th of November, nominally on different tracks, but practically with the same public to attend.

Q. You think the same conditions prevail in Canada?—A. No, sir.

By Mr. Raney:

Q. In Ontario, for instance?—A. Well, I am not speaking for Ontario particularly. It is a local crowd that patronizes our race meetings, and certainly the crowd I have seen at the Woodbine looked like a local crowd. They always impressed me most favourably.

By Mr. Blain:

Q. What would you say as to the number of days?—A. It might be difficult to run a meeting as far distant as Montreal with less than thirteen days. If it could be done with ten I would just as soon see it, but I think thirteen days will be necessary for horses travelling three hundred miles from Toronto. A man can only run horses a certain time during the meeting and it is a long and expensive journey.

Q. Are the gambling evils greater at trotting races or at running races, do you think?—A. I have had practically no experience in trotting races. We have little runs in the country where a number of the neighbours gather and they have a little trotting there, but there is no gambling at it at all. They may gamble with each other possibly, but there is nothing to see.

Q. I was referring to trotting races on the track?—A. I have seen nothing of trotting races on the track.

Witness discharged.

Mr. A. R. LOUDON, Hamilton, called, sworn and examined.

By Mr. Raney:

Q. You are the secretary of the Hamilton Jockey Club?—A. Yes, sir.

Q. For how many years?—A. Since 1905.

Q. And you produce now a statement made up pursuant to your summons or subpoena?—A. Yes.

Q. Containing certain information?—A. Yes.

Q. Will you tell me whether you prepared that statement?—A. No, I did not.

Q. Have you verified it?—A. Yes, sir; I have taken the book-keeper's word for it that it is correct.

Q. You have the ledger here, I believe?—A. Yes.

Q. Will you look at that statement and tell me what the present assets of the land, and structures on the land, of the Hamilton Jockey Club are?—A. The value of the club's property is there (pointing to the statement).

Q. It is estimated from \$175,000 to \$200,000, made up as follows: Read what follows.—A. (Reads) 'Land, \$50,000; cost of stables and paddocks, \$35,000; grand stand and bleachers, refreshment rooms, secretary's office, judges' and timekeepers' stands, fencing, &c., \$35,000; cost of constructing two race-tracks, over \$40,000; clubhouse and appurtenances, \$15,000.

Q. Making a total of \$175,000?—A. Yes.

Q. What is the club's cash surplus?—A. About between \$45,000 and \$50,000.

Q. In the bank?—A. Yes.

Q. Making a total of actual assets on this basis of \$175,000, plus \$45,000 or \$50,000,

1-2 GEORGE V., A. 1911

that is to say \$220,000 or \$225,000. That is right, we need not stop to calculate it. What is the paid-up capital of the club?—A. Forty per cent.

Q. On what?—A. On \$10,000.

Q. So that the actual cash investment in the Hamilton Jockey Club is \$4,000?—

A. No, I believe there is a great many lost money in it.

Q. Is there any stock outstanding?

Mr. McARTHUR.—I do not want to interrupt you, but have you already enumerated—

Mr. RANEY.—Is my friend representing the Hamilton Jockey Club?

Mr. McARTHUR.—The sum of \$100,000 has been already spent. That is by this—

Mr. RANEY.—I am asking the witness now what the actual cash investment was originally.

The WITNESS.—I could not tell you that.

By Mr. Raney:

Q. Well, then, you have told me that 40 per cent has been paid up on \$10,000?—

A. Yes, as far as I know.

Q. I will show you the last balance sheet. On the one side it shows paid-up capital stock, \$10,000?—A. It does.

Q. On the other side it shows 'Due from shareholders, \$5,950.' So that the actual investment was \$4,050?—A. I cannot say.

Q. That is the amount that is paid in on stock?—A. I think it cost more than that.

Q. I am not asking you that. That is the amount that is paid in on the stock?—A. Yes, according to that it is.

Q. I suppose your balance sheets are correct?—A. Well, I don't keep the books, you know.

Q. Will you look at your statement now and tell me what the receipts of your association were in 1909 at the gate?—A. It is all here if you want to read it.

Q. I want you to read it?—A. Well, I am going to consult my solicitors here first before I read anything. (To Mr. Counsell—Have I got to answer this question here; is it to be made public?)

Mr. COUNSELL.—If that is the ruling of the committee.

Mr. SINCLAIR.—It looks like a reasonable question, what were the gate receipts.

The WITNESS.—These statements were prepared for the members of this committee. I have a lot of them here.

Mr. COUNSELL.—We make no objection to the committee having the papers to examine them.

Mr. McCOLL.—I suppose the witness might be asked the question. Is that statement correct?

The WITNESS.—Yes, sir.

Mr. RANEY.—I want, if the committee will permit me, to get just half a dozen questions along this line on the record, because it is easier to follow the record than it is to follow exhibits which may not be before the party who is reading the records.

Mr. COUNSELL.—The committee will have those exhibits before them.

The CHAIRMAN.—You will not say, Mr. Counsell, that the witness should not answer these questions?

Mr. COUNSELL.—I should say he will verify that statement as being correct.

The CHAIRMAN.—And if the solicitor asks questions which he thinks it necessary to ask, although you might not think it necessary, you will not advise your client not to answer them?

Mr. COUNSELL.—I bow to the will of the committee, if the committee thinks these statements should go forth.

The CHAIRMAN (to the witness).—I think you should answer the questions.

Mr. SINCLAIR.—If you do not want to give the information, let us know and we will decide the question.

APPENDIX No. 6

Mr. COUNSELL.—There is no question of keeping it from the committee.

Mr. McCOLL.—If the statement goes down in the notes, it goes out to the press and to the country. What Mr. Counsell claims is that all that is necessary is for us as a committee to know this information so that we can pass our judgment.

Mr. COUNSELL.—The original investment is made to appear here as \$4,000, but the original investment of the Hamilton Park and Suburban Company was \$150,000, which Mr. Loudon knows nothing about and had nothing to do with. That money was all lost by the people who made the original investment.

Mr. SINCLAIR.—You will be able to show that?

Mr. COUNSELL.—I cannot show it by this witness, because Mr. Loudon knows nothing about it. Therefore, this amount will go out as a profitable investment of the Hamilton Jockey Club. It is to avoid that misapprehension that I raise the point. I am quite willing that the committee should have the statement for themselves.

The CHAIRMAN.—If this statement is filed with the committee, it will appear in the printed evidence.

Mr. COUNSELL.—It is not the printed evidence that I am referring to, but to reports going into the press.

The CHAIRMAN.—You can give any explanation you like after the witness is through as coming from yourself.

Mr. COUNSELL.—I am not sufficiently familiar myself with the facts, but there are other witnesses who are. All I know is that this investment which Mr. Raney speaks of as \$4,000 was subsequent to the original investment of \$150,000 which was made by the Hamilton Park and Suburban Company—William Hendrie and others—who lost every dollar of that before this club was organized.

Mr. RANEY.—We know nothing about it except what appears in the records of this club. If other gentlemen met losses before this company was incorporated, it is a matter we know nothing about.

The CHAIRMAN.—I think, Mr. Counsell, we had better let Mr. Raney go on with the examination of this witness, and afterwards you can offer any explanation you care to make to go along with it.

Mr. RANEY.—This statement shows: 'Gate receipts for 1909, \$59,405; advance information, \$74,800.' Perhaps I can shorten the matter by taking the largest amounts, reading from the statement, and getting on in that way. This statement shows actual gate receipts for 1909, \$59,405; advance information, \$74,800.

Hon. Mr. STRATTON.—'Advance information' what is that?

Mr. RANEY.—I am coming back to that in a moment. Then there is 'Bar,' \$3,850, and the total receipts under those three headings are \$138,055. The purses paid were \$79,850.

By Mr. Raney:

Q. There are other receipts, I think, Mr. Loudon, not included here, there are for instance, the entry fees?—A. No, that all goes to the horses.

Q. Yes, I know that, but it appears in the purses paid?—A. That does not appear in the purses paid.

Q. It will appear in your books as being received and afterwards as being paid out in the purses?—A. Yes, but it goes back to the horses, that is exactly what we pay out, the entry fees will not appear in the purses.

Q. There are also the members' annual fees?—A. Yes.

Q. Will you take your ledger for 1909 because you have not favoured me with the balance sheet for 1909?—A. I haven't got it yet, that is the reason you didn't get it.

Q. Turn to your last meet, the 22nd meet?—A. I will have to find it, I do not know where it is.

Q. What was the net profit of the 22nd meet of the Hamilton Jockey Club?

Hon. Mr. STRATTON.—When would that be?

Q. The fall meet of 1909?—A. \$32,257.73.

Q. That is on Page 296 of the ledger I think. Now turn to the account for the 21st meeting, that was the spring of 1909?—A. \$38,613.65.

Mr. SINCLAIR.—What is that?

Mr. RANEY.—That is the net profit of the 21st meet, the spring meet of 1909.

Mr. BLAIN.—What do you mean by the net profit?

Mr. RANEY.—I was coming to that. I have a balance sheet for the previous year but I have not the balance sheet for this year.

By Mr. Raney:

Q. Mr. Loudon, you produce the balance sheets of the Hamilton Jockey Club for the years 1902, 3, 4, 5, 6, 7, and 8?—A. Yes.

Q. Certified by the auditor?—A. Yes.

Q. The balance sheet for '98 shows the proceeds of the 19th meeting, that would be the meeting for the spring of 1908?—A. It was \$19,116.88.

By Mr. McColl:

Q. Is that the net profit you are dealing with?

Mr. RANEY.—Yes, subject to a qualification I am coming to in a moment.

By Mr. Raney:

Q. And the net proceeds of the 20th meeting?—A. \$24,325.20.

Q. The qualification is this. On the debit side of the profit and loss account appear four items in the nature, Mr. Loudon, I think, of annual charges for upkeep of the building and grounds?—A. Yes, but that will not include all the expenditure.

Q. We will come to that in a moment; there is the Club House \$56.45, General Expense Account \$3,953.89, that would include salaries, I suppose?—A. No, that does not include the salaries.

Q. Maintenance, \$2,279.64?—A. Yes.

Q. And 10 per cent off Club House furniture \$65.61, making a total of \$6,355.59. Will you tell me if these items of \$6,355.59 represent the permanent charges so to speak of the upkeep of the grounds and the club house?—A. No, I do not think they do.

Q. Show me where these permanent charges are?—A. I am not very familiar with the books, I do not keep the books.

Q. Can you tell me by looking at the balance sheet where the item of salaries appears?—A. No, I cannot.

Q. What is clear from this balance sheet of 1908 apparently is this, read in connection with the books, that the figures that I gave as the net profit of the 19th and 20th meetings were the net profits of those meetings after subtracting the expenses of those meetings, but that the charges for the permanent upkeep of the club house and the grounds were not included in those expenses. There is the salary of yourself as Secretary, Mr. Loudon?—A. Yes.

Q. There is the superintendent of the grounds, I think?—A. Yes.

Q. And some men who assist him?—A. Yes.

Q. And horses employed all the year round?—A. Yes.

Q. And these men are paid by the year, I suppose, including yourself?—A. Yes.

Q. So that they are fixed permanent charges?—A. Yes.

Q. And the Club House is a country club house which is open all the year round for the benefit of the members?—A. Yes.

Q. So that these charges, as I understand, for upkeeping of \$6,355.59, are permanent charges to be offset against the net income derived from the meetings.

Mr. MCCOLL.—Do you see anything in that statement for repairs and improvements?

Hon. Mr. STRATTON.—Do I understand you that net receipts would be \$70,000, the net proceeds for 1909?

APPENDIX No. 6

Mr. RANEY.—For 1909.

Hon. Mr. STRATTON.—After deducting all meet expenses, but not deducting, as I understand, the upkeeping, the permanent charges, which will be found by referring to the general expense account and the maintenance account in the ledger, I presume.

Mr. McCOLL.—What will be the total for the meets in 1908?

Mr. RANEY.—The total amount for the two meetings will be \$43,442.08.

Mr. McCOLL.—Now, for 1909 it was considerably more than that, it was \$38,000 and \$32,000, was it not, about \$70,000 altogether?

Mr. RANEY.—Yes.

Mr. McCOLL.—Now let us go back a year or two and see if the thing has improved gradually.

Mr. STRATTON.—What would be the amount of the purse money paid in 1909?

Mr. RANEY.—The purse money runs this way: 1909, \$79,850; 1908, \$75,020. and in a diminished ratio for preceding years. Then the 1907 balance sheet shows for the seventeen and eighteen meets, net profits of \$21,934.56.

Mr. McCOLL.—Is that for the two meets or the one?

Mr. RANEY.—For the two meets?

Mr. McCOLL.—What did they pay in purses that year, that is in 1907?

Mr. RANEY.—\$57,820. Then for the year 1906 the net profits for the two meets were \$11,760.33. In 1905—

Mr. SINCLAIR.—What did the purses amount to that year?

Mr. RANEY.—In 1906, the purses amounted to \$44,095. In 1905, when there were only—

Mr. MCCARTHY.—Pardon me for a moment. I want to get on record lest it be said in the House that counsel there had permitted this evidence to be given without registering an objection. For my part, representing the Ontario Jockey Club, I object to this evidence as being wholly for the purpose of showing that the carrying on of a race course profitably makes it a crime, and that you are to judge of that crime by the amount of profit or loss which is realized in the conduct of that track.

The CHAIRMAN.—We note your protest, Mr. McCarthy.

Mr. RANEY.—Then in 1905 there was only one meet and the net profit of that meet was \$2,055.22.

Mr. SINCLAIR.—Does the statement say how much of this money is derived from commissions on bookmaking?

Mr. RANEY.—Yes.

Mr. SINCLAIR.—Give us that.

Mr. RANEY.—I am going to ask the witness a question in that connection.

Q. The heading 'Advance information' which you see before you in the fourth column means what?—A. It means the revenue derived from booking privileges?

Q. From the booking privileges. And will you tell me what the practice has been of your Club with regard to the sale of bookmaking privileges?—A. The practice in what way?

Q. What has been the practice of the Jockey Club? Has the Club itself dealt with the bookmakers and given them rights, or has the Jockey Club dealt with some individual who in turn dealt with the bookmakers?—A. We have done it by tender.

Q. That is to say you have let the privileges by tender to some one individual or firm?—A. A reputable firm.

Q. To whom did you let the privileges in 1909?—A. Smith and Parry.

Q. Of what place?—A. I believe they live in Chicago.

Q. And were they the lessees in 1908 too?—A. Yes.

Q. And for a number of years back?—A. No.

Q. But that has been the practice for a number of years back has it not?—A. Until the death of Mr. Haskins.

Q. He always had the privileges before? How many years ago is that?—A. Three years ago.

By Mr. McColl:

Q. He was a Toronto man a Canadian?—A. Yes.

By Mr. Raney:

Q. Then your club's practice has been to farm out the bookmaking privileges to the highest tenderer?—A. They did it by tender.

Q. And the fourth column of the statement shows the amount of each tender from year to year?—A. Yes.

Q. You say your present cash surplus is about \$50,000, is there any mortgage on the property?—A. No.

Mr. RANEY.—I put in, then, Mr. Chairman, the whole of these balance sheets. The committee may make its own direction as to the printing of them.

Mr. COUNSELL.—I may say to the committee those are the original statements which were brought from the safe of the Club. A resume of them has been made out. What the subpoena asked for has been prepared and typewritten.

The CHAIRMAN.—We will at least guarantee to you the safe return of the statements. I do not want to say, I have no right to do so, but the committee will determine whether these shall be printed. However, we will guarantee their safe return if you will kindly leave them with us.

Mr. COUNSELL.—I am quite content if the committee will settle that point without delay.

The CHAIRMAN.—We probably can before we meet again.

Mr. RANEY.—These balance sheets are not for any present use, they are for filing purposes. I may say that I have not had the opportunity of going through them that I would like to have because of the desire to let Mr. Loudon go home. This is this further circumstance: I would like the ledger to be left here so that we can make up a statement from it to show what the balance of profit was for 1909 after deducting the fixed charges, as though they were all properly chargeable against the race meeting so as to give the club the benefit of every advantage.

Mr. COUNSELL.—I might say, Mr. Chairman, that with regard to the ledger Mr. Raney has taken the figures from it that he speaks of now.

Mr. RANEY.—No, I have not.

Mr. COUNSELL.—There are other matters in the ledger besides those of the jockey club, and it was with the greatest difficulty that we were able to bring it before the committee. We wanted to bring it as an evidence of good faith, but it will be a serious matter if the ledger is left here. The statements produced are all original statements. They are correct and signed by the auditor, C. S. Scott.

Mr. RANEY.—Perhaps if you will turn up two or three accounts we can get the matter on record. Turn up the general expense account for 1909, if you please.

Mr. STRATTON.—What is the point you wish to make by this?

Mr. RANEY.—The committee may not think it worth while but take for instance the 1908 statement. That shows \$43,000 profit for the two meets.

Mr. COUNSELL.—That appears in Mr. Loudon's statement.

Mr. RANEY.—That appears in the balance sheet for 1908. On the other side of the profit and loss account appears this item by way of permanent charge, \$63,556.61. I desire to know what the items of permanent charge were for 1909. You would have to refer to the ledger to find out.

Mr. SINCLAIR.—How does that affect the case?

Mr. RANEY.—Perhaps not.

Mr. STRATTON.—Would not this affect it? The gate receipts in that year were \$59,405, whereas the purses paid amounted to \$74,800. Would not this statement be really in support of the contention of your opponents where so large a sum is derived from advance information and they could not go on breeding thoroughbred horses and the necessary encouragement could not be given for the horse racing.

Mr. RANEY.—Whatever the result may be when it comes to argument, I am just getting the facts now.

APPENDIX No. 6

Mr. STRATTON.—We do not want to interfere with you.

Mr. COUNSELL.—I understand Mr. Raney is satisfied with the figures in this statement and that it would not be necessary to keep the ledger.

Mr. RANEY.—One other thing and perhaps Mr. Counsell and I can agree upon that. I merely call attention to the fact that the statement which has gone before the commission is not a full statement of the receipts, that it does not show the receipts from the entry money?—A. There are no receipts from the entry money.

Mr. RANEY.—You are mistaken, Mr. Loudon, and it does not show the receipts from the membership dues which do not appear in the statement for the years down to 1908; the membership subscriptions are in the profit and loss account, but the receipts from the horsemen for the entry of their horses do not appear in any of these statements.

By Hon. Mr. Stratton:

Q. Reverse the argument, might it not be contended that there was sufficient money received from the advance information and from other receipts, to pay all the prizes. If the statements furnished do not cover all the items required the information will be furnished if desired, will it not, Mr. Counsell.

Mr. COUNSELL.—Yes.

By Mr. McColl:

Q. With regard to the overnight entries, is it the practice to charge an entry fee for each horse that is entered in a race for the following day?—A. Yes, it is charged, but it goes to the winner, the club does not derive any benefit from it at all; it is a sort of what we call sweepstake.

Q. That is in addition to the purse given in the catalogue, all the entry fees go to the horses, to the winners?—A. Yes.

The CHAIRMAN.—Would not those fees go to both sides of the account. If in the column of purses paid for 1909, the \$79,850 takes into account the entry fee, the amount received from that source should appear on the other side in the column which shows the total receipts. But as I understand it from what you say the entry fees are in addition to the amount mentioned in the column showing the value of the purses paid?—A. It will be in addition to that.

The CHAIRMAN.—So that it will appear on both sides of the account in the ledger.

Mr. RANEY.—It shows the net purses, but not the net receipts.

The CHAIRMAN.—Mr. Loudon says it is in addition to the purses.

Mr. RANEY.—That is not the case.

The CHAIRMAN.—I do not know whether it makes any difference or not, but Mr. Raney says that this \$79,850 paid in prize money does not include the entry money.

Mr. RANEY.—If you will excuse me, I will suggest that Mr. Loudon leave his ledger here until to-morrow, and Mr. Counsell and I will go over the ledger and we will agree upon it.

The CHAIRMAN. Is that agreeable to you, Mr. Counsell?

Mr. COUNSELL.—It is not agreeable to me; I do not want to be charged with the responsibility of the care of the ledger. I am willing to admit that it is, say \$5,000, for argument's sake; it does not make any difference.

By Mr. McColl:

Q. As I understand it, when you are arranging for a race meeting you get out your programme. Now, is not this the way that it is done: In the first place, you get together and you allot a certain amount of money that is to be distributed in purses or prizes?—A. Yes.

Q. And you give those purses?—A. Yes.

Q. And you do not know at that time whether you are going to have any entrance money at all; and if you do have it, you do not then know what the amount will be?—A. No.

1-2 GEORGE V., A. 1911

Q. And the amount of the purse is, in each case, determined then?—A. Yes.

Q. But whatever entrance fees you do get go in the form of a sweepstake to the winner in addition to the sum you allotted to the purse in the beginning?—A. Yes.

Q. So that the amount given here in this column of 'purses paid' is the amount allotted for the purses over and above whatever the entrance fees may amount to?—A. Yes; the club derives no benefit whatever from the entry fees.

Q. The amount of the entrance fees would vary in different years?—A. Yes.

The CHAIRMAN.—It seems to me that Mr. Raney, who is conducting one side of the case, having subpoenaed Mr. Loudon and asked him to produce the books, he should have every reasonable privilege and opportunity to get out of the books all the information that he deems necessary for his argument, although we members of the committee and the other solicitors who are engaged here may not be able to see exactly the drift of Mr. Raney's thought. On the other hand, if it appears clear that the information that Mr. Raney wants to obtain is of so little significance that it does not really affect the question seriously, it might be a matter for consideration. Perhaps Mr. Raney will kindly consider the question whether it is of importance or whether it be of such a trifling nature that he need not bother with it, but Mr. Raney should be the judge of that.

Mr. RANEY.—I would like to have my information accurately. \$5,000 has been suggested by Mr. Counsell, and that might be sufficient for purposes of argument.

Mr. SINCLAIR.—I think Mr. Raney should first convince you, Mr. Chairman, and the committee that it is of importance. I am not satisfied that it is. I cannot see it that way.

The CHAIRMAN.—Let Mr. Raney explain what information he wants to get.

Mr. McCOLL.—I, for myself, do not see what these books are going to show that will help this committee in deciding the question before us. I would prefer for Mr. Raney to state to us the object he has in view in asking for this information, so that when it is given our minds can follow it. He is getting out information now and will probably not disclose the reason until he comes to his argument later, and for my part I would like to know now what the object to be served is and what he wants the information for.

Mr. RANEY.—The whole of this information, do you mean?

Mr. McCOLL.—Yes, the whole of this information.

The CHAIRMAN.—I will just put this suggestion to you. I am not a party in this and do not know the exact object in view, but you as a solicitor will be able to judge perhaps, Mr. Raney is asking for similar information from the other jockey clubs, and might he not be prejudicing his case by telling us just now the reason why he wants this information.

Mr. McCOLL.—We are not to presume that these men are coming here with false statements or to give false testimony.

The CHAIRMAN.—Certainly not.

Mr. McCOLL.—It cannot affect the question before us one way or the other. I tell you, Mr. Raney, what the suspicion is in my mind, and that is that you want to get this information, through this committee, to propagate it all over this country and use it when you come back here asking for some other favours in some future year. I want to know exactly what your object is in asking for this information, so that it will help us to arrive at a decision on these matters. I think you are taking advantage of the opportunity to get into the private business of these clubs in order to make use of the information hereafter.

Mr. COUNSELL.—I was going to say that Mr. Raney has eight statements from 1901 to 1908, that give all the information he asks for about these matters. There is one statement he has not, for 1909, because the Jockey Club has not yet had its annual meeting and has not the statement. There is nothing in that year that he has not already in the other eight years, and for that reason it must be, to my mind, trivial to hold up the books for that information just now.

APPENDIX No. 6

Mr. McCOLL.—I do not see any objection why he should not explain the object of it.

Mr. MARTIN.—I see no reason why a solicitor should be forced to say what his object is in bringing out any particular piece of evidence. Such a practice is never followed in a court of law.

Mr. McCOLL.—If the court asks him he is bound to disclose it.

Mr. MARTIN.—The position I take as one of the members of the committee, is that Mr. Raney cannot be forced to state what his case is. Let him go ahead and then bring out his case in his argument.

Mr. McCOLL.—Supposing we were in a court of law? Of course we are not following the strict rules here that they do there.

Mr. MARTIN.—We have not been doing so.

Mr. McCOLL.—But supposing that was the case, that a man rendered evidence and objection was taken by the opposite side. Then the judge would have to have some information upon it to decide whether it was material evidence or not. I think we have a right to know whether this evidence that is desired is material or not. If it is material and not a mere fishing excursion, we should have it. If it is material then I say give the fullest latitude possible; but how are we to judge whether it is material or not unless we have stated to us the object of tendering this information? I may say, so far as I am concerned, that I am in favour of the fullest investigation and I have a proposition to make in regard to certain information that I want produced with regard to the other side of this controversy when we would come to it, and that is about all these petitions that have been presented to parliament. I want to ascertain the degree of intelligent public opinion contained in the hundreds of petitions that have been presented to the House all these weeks past. My own idea is that all that public opinion is nothing but a manufactured and fictitious public opinion, that men signed these petitions without knowing anything about it. In my own riding there are not over nineteen or twenty people at the outside that ever attended a racetrack and that ever knew anything about the betting that took place. They are not affected by it and are not prejudiced.

Mr. STRATTON.—All the more reason that they should have information.

Mr. McCOLL.—All the more reason why we should get the information, that is my own position. I may be wrong, but I think that if the public knew the conditions that exist on a great many tracks they could not have signed such petitions. They did not understand what they were signing in a great many instances.

Mr. STRATTON.—I think Mr. Raney should be allowed to state his own case.

Mr. MCCOOL.—And tell us what the object of it is.

Mr. STRATTON.—I would not go that far.

Mr. MARTIN.—With the exception of two or three items which are not very material the information is already before the committee.

Mr. RANEY.—I am not concerned about the few items of receipts that do not appear in the statement, and I am not at all sure that they are of any particular consequence except in this respect—they go to show the total receipts of the club for each of these years for whatever they may be worth.

Mr. STRATTON.—You want to make a statement containing all the receipts and expenditures of the club. Well, if the solicitor will supply you with that you will be satisfied.

Mr. RANEY.—Certainly. Mr. Counsell I have no doubt will agree to that.

Mr. COUNSELL.—Certainly.

The CHAIRMAN.—That is all that is necessary.

By Mr. Counsell:

Q. You have knowledge of the Hamilton Park and Suburban Club?—A. Yes.

Q. The original club that was incorporated at the same time as the Hamilton Jockey Club?—A. Yes.

1-2 GEORGE V., A. 1911

Q. The original Hamilton Park and Suburban Club built the premises and the track and leased to the Hamilton Jockey Club; is that right?—A. Yes.

Q. That Hamilton Park and Suburban Club was composed of William Hendrie—

Mr. STRATTON.—There is no objection to your putting in a separate statement showing that.

Mr. COUNSELL.—I will not waste any time then. I will do that.

Mr. RANEY.—I gather that there was some previous club or company which owned this property and perhaps failed. I did not know that, I never heard it before.

Mr. COUNSELL.—It was a contemporaneous club.

Mr. STRATTON.—You have no objection to what was suggested?

Mr. RANEY.—No.

Mr. STRATTON.—If \$100,000 or \$150,000 had previously been expended on the same ground by another club or company and they failed and the new corporation took over their property it is only reasonable to give credit for the previous expenditure which no doubt was accepted as value by the new corporation.

By Mr. Counsell:

Q. Mr. Loudon, have the present shareholders or directors of this Jockey Club at any time ever received one cent of dividends or otherwise?—A. No.

Q. Have they at the present time improvements in contemplation which will more than use up their surplus?—A. Yes.

Q. Has there ever been a year in the history of the Jockey Club with which they have gone into the coming year with anything but a deficit?—A. No.

Q. That is they owed money to the bank?—A. Yes.

Q. Except this year?—A. Yes.

Mr. RANEY.—That is not true; the balance sheet does not show that.

Mr. COUNSELL.—The balance sheet may not show it; it is the bank I am speaking of.

Mr. RANEY.—In 1908 there was on deposit in the Bank of Hamilton \$20,961.

Mr. COUNSELL.—That was in November. The following May they had no money and they were indebted to the bank.

Mr. McCOLL.—In that state the enterprise was carried on several years.

Mr. COUNSELL.—In the coming year the club more than spent that money and the witness says they were in debt every year.

Mr. STRATTON.—You should have your statement correct. When is your annual statement prepared?

Mr. COUNSELL.—In October, after the season has closed.

Mr. STRATTON.—Your statement for 1909 would show considerable receipts over expenditures which would include the two meets.

Mr. COUNSELL.—Our statement will show that we had a surplus at the bank in November of from \$45,000 to \$50,000, but—

The CHAIRMAN.—What liability will you have against that; is there any existing liability?

Mr. COUNSELL.—We have no existing liability, but next spring the improvements that are contemplated, including the building of a new grand stand, will amount to far more than the surplus. Whether we shall enter upon that expenditure is dependent, of course, upon this legislation, but if we do make that expenditure we shall have a deficit.

The CHAIRMAN.—You mean that you will make extensive improvements that you cannot pay for out of one year's profits?

Mr. COUNSELL.—It will amount to more than the profits.

Q. Mr. Loudon, is it the intention of the Jockey Club to increase the purses?—A. Well, I cannot say for the other clubs, but as far as the Hamilton track is concerned it is.

APPENDIX No. 6

Q. Will you ultimately pay as big a purse as the Ontario Jockey Club?—A. We hope to.

Q. And they paid last year \$120,000?—A. I believe so, yes.

Q. And neither the shareholders nor the directors have ever made a dollar out of it?—A. Not a dollar.

By Mr. Raney:

Q. What did your club pay for the property? There appears in the statement the sum of \$50,000?—A. That is what they paid for it.

Q. From whom did they purchase?—A. The Hamilton Park and Suburban Company.

Q. That is the company spoken of as having been the predecessor of this company?—A. Yes.

Q. You have charters here. There were two charters, I think, one for \$10,000, granted in 1893, and a later charter?—A. Yes, for \$100,000.

Q. Granted when, do you remember?—A. In 1895.

Q. And I think no stock was every issued under that charter?—A. It has not been issued.

Q. Only the original stock?—A. It has not been issued.

Q. Only ten thousand issued and \$4,050 paid up?—A. Yes.

Mr. MCCARTHY.—Was it a new charter?

Mr. STRATTON.—You mean that the capital was increased or a renewed charter was issued.

Mr. RANEY.—A new charter. They are both here I think. Have you got them, Mr. Loudon?

The WITNESS.—They are in the ledger.

Mr. RANEY.—They are letters patent of 27th January, 1893, and supplementary letters patent of 23rd of May, 1895.

Mr. SINCLAIR.—Were those provincial charters?

Mr. RANEY.—Provincial charters. I will leave them with the committee. (Documents filed).

By Mr. McCarthy:

Q. Supposing the contention made here is correct, that if this Bill passes and the racing business ceases, what will be the value of the stables and paddocks which you have in that statement at \$35,000?—A. They would not be of any value; we would have to take what we could get for them.

Q. And what would be the value of the grand stands, the bleachers, the refreshment rooms, secretary's office, judges' and timekeeper's stands, fencing, &c., which are also valued here at \$35,000?—A. They would not have any value.

Q. And what would be the value of the improvements involved in the construction of the tracks?—A. There would not be any value in them.

Q. Therefore, in this statement there is \$110,000 of value absolutely dependent on that enterprise being continued as a racing concern?—A. Yes, sir.

Witness discharged.

Committee adjourned.

THURSDAY, January 20, 1910.

The committee resumed this forenoon at 11 o'clock, Mr. H. H. Miller, presiding.

SPURGEON GAMMON, sworn and examined:

By Mr. Raney:

Q. Mr. Gammon, you are a Nova Scotia man?—A. Yes.

Q. From New Glasgow I believe?—A. Yes.

Q. You have had some experience as a horseman?—A. Yes.

Q. For how many years?—A. Probably 18 or 20 years.

Q. In fact, I believe you have been breeding horses all your life?—A. I have been more or less connected with horses all my life.

Q. You are the secretary, I understand, of the Union Trotting Park Association of New Glasgow?—A. Yes.

Q. And secretary of the Pictou County Driving Club?—A. Yes.

Q. And I think you are a licensed starter of the National Trotting Association?—A. Yes.

Q. Which covers several of the states and the maritime provinces?—A. Yes.

Q. Have you trotted yourself?—A. Yes.

Q. Are you a horse owner and horse racer?—A. Yes, I own some horses.

Q. What class of race horses?—A. Trotting horses and pacing horses.

Q. I understand there are no running races in the maritime provinces?—A. Not to my knowledge. There may be a country running race in New Brunswick.

Q. And are you familiar with the tracks of Nova Scotia and New Brunswick?—A. Fairly familiar.

Q. Now by way of premise as there may be some misapprehension on the point, I would like you to tell me if possible what is your understanding of the meaning of the term standard?—A. You mean trotting horses?

Q. Yes?—A. Standard trotting horse is a horse that is registered in the American registration book. It has to comply with certain regulations as to breeding and performance. It must have a record of 2.30 for trotting or 2.35 for pacing. They are intended to be a distinct breed of horse. I cannot give you all the rules from memory but I have a general knowledge of what the meaning is.

Q. I understand that the standard breed is an American trotter distinctively, as much so as the thoroughbred is English?—A. Yes. They are very largely bred in Canada at present.

Q. Its origin and history is that of an American horse?—A. That is right.

Q. You have trotting circuits in the Maritime Provinces?—A. Yes.

Q. One trotting or two?—A. Some of the tracks would be in the circuit and some not.

Q. What is the circuit?—A. It usually starts on July 1st, Dominion Day.

Q. I mean the places?—A. I will give you last year's because it is not arranged in the same order every year. It started in Charlottetown and from there they went to Woodstock. Some horses went to the States and some worked down to New Glasgow, Charlottetown, Halifax, Middleton and the two Sydneys, North and South.

Q. Those are the places in the maritime circuit?—A. There are other places but I do not recollect them offhand.

Q. What are the horses on the circuit as to ownership?—A. Are they American owned or Canadian?—A. Largely Canadian owned. There are about three or four New England horses that come over for the meetings in New Brunswick but the majority of the horses competing on our tracks are owned in the provinces.

APPENDIX No. 6

Q. Owned in the provinces?—A. Yes.

Q. And I understand that the circuit includes almost exclusively home owned horses?—A. Yes, with the exception of a few stables that come from the New England States, Maine.

Q. Do you have bookmaking on your tracks in Nova Scotia?—A. No.

Q. Or pool selling?—A. No.

Q. Is there bookmaking on the tracks in New Brunswick?—A. I think there is, but I was not present at meetings where they sold pools on the track. I believe they do at two or three.

Q. Apart from that you never saw any yourself?—A. No.

Q. And are your circuit meets successes?—A. Well I think so. The number of horses is increasing.

Q. And the quality?—A. I think the horses are generally improved on the horses we had years ago, that is individually I mean.

Q. Is there a good market for trotting horses of the standard breed in the Maritime Provinces?—A. Yes.

Q. How do the prices range?—A. That is a pretty wide question. It depends on speed performances and individuality.

Q. Up to what figure?—A. We had one stallion that the Provincial Government bought for \$5,000 for service. I would say that promising green horses can be sold for \$1,000, say between \$500 and \$1,000.

Q. Did the British Government buy remounts in Nova Scotia at the time of the Boer war?—A. Yes.

Q. To a considerable number?—A. I think they bought hundreds of horses through Nova Scotia.

Q. I believe your racing association is under the rules of the National Trotting Association?—A. Yes, we race under the National Trotting Association rules.

Q. Whose headquarters are where?—A. At Hartford, Connecticut.

Q. Do you know where there are running tracks in New England?—A. I do not think there are any important racing tracks in the New England States. There may be some side shows.

Q. I have heard that racing in the Maritime Provinces is a sport and a pastime? Is that an accurate description?—A. I would think so.

Q. Gambling does not enter into it so far as Nova Scotia is concerned?—A. I do not think so in the general sense. Of course there are a few men who gamble.

Q. But as countenanced or permitted by the Association or established by them as a means of revenue it does not exist?—A. No, not in Nova Scotia. I do not think there is a track which gets a revenue from pool selling or bookmaking.

Q. I understand a qualification is made with reference to New Brunswick?—A. Yes. There may be some there.

Q. Have you known of any instance on the other side of the line since the Hughes law was passed where trotting circuits have been successfully conducted without bookmaking?—A. Well they have never discontinued the trotting races that I have any knowledge of. I know that Andy Welsh, who was one of the principal pool sellers in the trotting circuits, bet at Hartford track and elsewhere and at Readville track.

Q. Outside of Boston?—A. Six miles outside of Boston. But he got into difficulties.

Q. That was before he got into difficulties?—A. No, the track got into difficulties and Welsh bought the track, and I think he held a grand circuit meeting there last September, if I remember.

Q. What is the grand circuit meeting?—A. It is the principal trotting meet in the United States.

Q. Ranging as far as?—A. I think they usually begin at Detroit, and the towns concerned in the circuit vary.

1-2 GEORGE V., A. 1911

Q. Could you mention other places included in the circuit?—A. Providence sometimes; Hartford every year, I think; Readville, Poughskeepsie—I am not sure about Poughskeepsie. Syracuse, when the state fair is there; sometimes at Cleveland, Ohio, and other places.

Q. That is the principal trotting circuit in the United States?—A. Yes.

Q. And that circuit is now in part owned and controlled by Andy Welsh?—A. He owns two of the tracks, or controls them.

Q. Do you know about Poughskeepsie and the circuit?—A. No; only I have seen it stated in the turf papers, but he put these two tracks in the circuit.

Q. Since he bought these tracks at Readville and Hartford, has he been conducting these meets successfully without pool selling or bookmaking?—A. To what extent I cannot say.

Q. But from the knowledge that a horseman has?—A. I understand that he conducted these tracks without open betting.

Q. Without bookmaking?—A. That is what I mean.

By Mr. Counsell:

Q. Is it the intention of the committee to accept evidence of that kind when other evidence is so easily available?

Mr. RANEY.—We have been taking rafts of it.

Mr. COUNSELL.—I object now on behalf of my clients to going on and listening to what has been done in the States, where this man has never been. He is producing no documents. He says that Andy Welsh does not get any bookmaking. Why, he is the largest bookmaker and pool seller in the United States. We ought to know all the facts.

Mr. RANEY.—My learned friend is confusing the tenses. If he had said that Andy Welsh was——

Mr. COUNSELL.—I say he is. That the firm of Welsh & Barr is the greatest pool seller in the United States.

The CHAIRMAN.—Yesterday there was a good deal of evidence as to what was merely hearsay evidence as to the passing of the Hughes' law. From the beginning in this committee we have not stuck closely to the rules of evidence.

Mr. COUNSELL.—We did not put that in evidence. Why should hearsay evidence go in at all?

The CHAIRMAN.—It has gone in before now.

By Mr. Raney:

Q. Then what you say is that the understanding among horsemen is that Welsh has been conducting this circuit, so far as he owns and controls it, as a successful business venture?—A. That would be a pretty difficult question to answer. He is still in the business. That is the only evidence I have that it is successful. That is only hearsay, and I would prefer not to get into deep water in that way.

Q. You can only say what you know. Do you know the paper, *The American Horse Breeder*, published at Boston?—A. Yes, I am familiar with the journal.

Q. Has the paper a large circulation?—A. I understand it has a circulation of 70,000.

Mr. COUNSELL.—That is just what I object to. He says the paper has a probable circulation of 70,000. Witness does not know and Mr. Raney does not know.

The CHAIRMAN.—Let us see if there is no better way of getting what you want to get. If you let Mr. Raney ask questions along that line you will have an opportunity of cross-questioning the witness, and you can bring what you want out in cross-examination.

Mr. COUNSELL.—Mr. Raney knows as well as I do that that evidence is not admissible.

The CHAIRMAN.—You do not know what knowledge Mr. Raney has. His next

APPENDIX No. 6

question might show that he has a knowledge. He may be able to show by this question that the paper has a very large circulation.

Mr. RANNEY.—I am content with the answer.

Q. Is the paper a recognized authority on horse breeding and horse matters?—

A. I think it is.

Q. I see in the issue of that paper, dated 21st December, an article over your signature, if not written, apparently prompted by the discussion raised by this Bill before this committee?—A. No; I want to correct you. I am a regular correspondent of that paper. I wrote the article as a matter of interest.

Q. And at the time that letter was written had you any expectation of being before this committee?—A. Certainly not.

Q. I believe you were very averse to coming here?—A. I did not wish to come.

Q. Does that letter correctly state your point of view on this subject?—A. So far as it concerns our locality.

By Mr. McCarthy:

Q. What is the largest attendance at any of those tracks in Nova Scotia?—A. That is a big question to answer. For instance, a track in connection with an agricultural exhibition would have a much larger attendance and you would not know how much credit to give to the races for the attendance.

Q. And so some of the races you mentioned are run in connection with agricultural exhibitions and form part of those exhibitions?—A. Exactly.

Q. Do the trotting associations join with the agricultural association in financing the meeting?—A. I think they are financed together. I imagine so.

Q. But that you don't really know?—A. I am certain of the Halifax meeting. There is no way of separating them.

Q. How about the situation in New Glasgow?—A. We have no agricultural exhibition there.

Q. How many days do you go?—A. Two days generally. It is in the summer, in August.

Q. What would probably be your largest attendance?—A. Probably 1,500 or in that neighbourhood.

Q. The purses are how big?—A. The usual size of a purse in that country is from \$300 to \$400. Stakes are a little larger.

Q. And does that apply practically all around the circuit in New Brunswick and Nova Scotia?—A. Yes.

Q. The association with which you are connected has its governing body in the United States, the National Trotting Association?—A. Yes, we have to race under their rules.

Q. You are affiliated with it?—A. Yes.

Q. And its rules govern you?—A. Exactly.

Q. Now what is the best meeting on the circuit?—A. I think the Halifax meeting is recognized to be the best.

Q. Do they give larger purses there than at the other meetings?—A. They do generally.

Q. And they are run in conjunction with the agricultural association meeting at Halifax?—A. Yes.

Q. So that you have there a gathering of exhibitors of cattle and of all kinds of live stock, fruit, vegetables, grain, fowl and other things of that character?—A. Yes.

Q. Is there any gambling instinct at all in Nova Scotia?—A. I think so.

Q. You think there is?—A. I think there is.

Q. How does it satisfy itself?—A. I could not say. I am not endowed very much with it.

Q. But I should judge that like myself you have been to a good many meetings, trotting and other meetings, and there is a place where those fellows who want to bet foregather?—A. They bet with each other.

Q. What about over night betting?—A. I fancy they do that occasionally.

Q. Do not fancy it. Don't you know as a matter of fact that there is over night betting on those races?—A. I know there is what you refer to. But may I qualify that. I think there are some meetings where there are no over night betting. In fact I know there is.

Q. But there are meetings where there is considerable betting done over night?—A. I would not like to say the amount of betting.

Q. What size of wager would there be. What would be the size of some of the wagers you have heard of or seen?—A. That is individual bets you mean?

Q. Are there other kinds of bets?—A. You referred to over night betting.

Q. That is pool selling?—A. I think so.

Q. I wanted you to give the evidence?—A. I am here to tell the truth and I want to be fair.

Q. Then there is pool selling over night?—A. There has been.

Q. And there was last summer at Halifax?—A. Not to my knowledge. I was not in a pool room last season.

Q. You are confining that to your knowledge. But as to your general knowledge on the subject, was there no pool selling last season over night?—A. Is that evidence?

Q. You have heard what Mr. Miller has said about that. You have already told us your hearsay. If the Chairman says that is not evidence I shall stop?—A. I have heard that they had sold pools over night at some meets. I do not think I was in a pool room.

Q. If you have any delicacy about it I won't press you.—A. I have been there.

Q. They are conducted, so far as you know, honestly?—A. Yes.

Q. They do not contravene any law do they?—A. I am not posted on the technicalities of law.

Q. Is there no law in Nova Scotia preventing pool selling or betting?—A. I have no knowledge of that.

Q. Then pool selling cannot be against the law?—A. I do not know whether it is or not.

Q. Whether it is or not, your understanding is that it had been carried on?—A. That is my understanding.

Q. What is the name of the best Canadian horse on that circuit?—A. Pacer or trotter?

Q. Pacer?—A. I think the mare Soomassie.

Q. What is his mark?—A. Eight and three quarters.

Q. What is the best trotting horse?—A. A horse called Surveyor has got the stallion record in the Maritime provinces.

Q. What is her mark?—A. Eighteen and a fraction.

Q. So the mark of the best trotting horse in the Maritime Provinces is eighteen?—A. Well, and a fraction. He is a stallion.

Q. Are there any other horses, geldings or mares, with a record lower than 2.18?—A. I do not think so, racing as trotters. Of course, I am giving this from memory.

Q. You have not got any records before you, and you must give them from memory. What I want to get at is the standard of speed in your circuit. What are those races won in?—A. Probably from 13 to 15. I think the record at Halifax is about 11 and a fraction.

Q. So we have got pretty well that for trotting the record is from 18 to 20 and for pacing from 11 to 14?—A. Yes.

Q. Are those Canadian horses that hold those records or American?—A. Soomasie is an American mare and Surveyor an American horse.

Q. It is recognized in Nova Scotia and New Brunswick that there is no harm in American horses coming over to compete?—A. They are imported.

Q. Do you not have any American horses competing with Canadian horses?—A. Yes.

APPENDIX No. 6

Q. Then what I say is correct, that you do recognize that it is a good thing, or not a bad thing, for American horses to compete?—A. It is a thing on which there is a division of opinion. Some horsemen say they should not be allowed to come in, and others say that they should.

Q. In your opinion as a horseman, is not the rivalry likely to develop a better class of horses?—A. There is another side to that. The season in which these men have to train their horses is a good deal in advance of ours, so that they are able to come with better prepared horses and win a larger proportion of the moneys on that account.

Q. That would apply with equal force to the running horses as to the trotting horses?—A. Yes.

Q. And would apply to Western Canada even more, because the winters are more severe and the spring is later in opening?—A. Yes.

Q. Now, the Hughes' law does not apply to Boston, does it?—A. I think it is confined to New York.

Q. It is confined entirely to New York state. Then those tracks that Andy Welsh bought were in trouble, I mean the associations that owned them were in trouble?—

A. I think the Readville track was in some trouble. I do not know the details.

Q. But under those circumstances, he purchased it?—A. I understood so.

Q. And he was a very well known bookmaker, you say?—A. I think he was.

Q. It is suggested a pool seller?—A. A pool seller would be more correct.

Q. Do I understand you to say that you were in the habit of attending meets about Boston and the state of Maine?—A. I did not say so.

Q. Do you?—A. I have been there.

Q. How many times?—A. Once.

Q. Where?—A. The Readville track.

Q. When was that?—A. I think it was in the fall of 1900, the year of the big stallion race.

Q. You did not come here to give any evidence as to what is done on that track from your own knowledge?—A. No.

Q. Welsh might have been selling pools or betting in any way, but you do not know about it?—A. Only from hearsay. I have no definite knowledge.

Q. You do not mean to tell us that there is no betting on the Detroit track?—A. I did not mean to tell you that.

Q. Have you ever heard whether there is or not?—A. I have heard that they have betting there.

Q. Betting of considerable size?—A. I have read the odds quoted and the amounts wagered by some of the big plungers. I would not like to say more.

Q. How about betting at Poughskeepsie?—A. I am not so familiar with it.

Q. You do not know about betting on the grand circuit?—A. There must be a good deal of betting.

Q. About Cleveland?—A. The same conditions would obtain on all those tracks.

Q. But if you were in the grand circuit at Hartford the same conditions pertain or obtain there as at Detroit, Cleveland and Poughskeepsie?—A. That is not in New York state.

Q. I am speaking of outside New York state.

By Mr. Raney:

Q. I think there is a similar law in Massachusetts?—A. I think there is: I am not positive.

By Mr. McCarthy:

Q. What is the largest meet outside of Halifax?—A. I think Fredericton, New Brunswick, last year had the largest race meet outside of Halifax.

Q. Is that conjoined with the agricultural association?—A. Last year they had two meets. Will you let me explain a little? In New Brunswick they have a provin-

cial exhibition in alternate years at the commercial capital, which is St. John, and at Fredericton, which is called the political capital. This year they held their agricultural exhibition at Fredericton and there was a five days' race meet, but they had a three days' race meet without the assistance of the agricultural association.

Q. Following the five days' meet?—A. No, before.

Q. Just before?—A. In July.

Q. When was the other?—A. I think it would be in September.

Q. How did it fit in? Were both meetings part of the circuit?—A. Well the dates of the circuit were arranged to hinge.

Q. They were arranged so that Fredericton was able to give a three days' meet to start with and a five days' meet for the end?—A. Yes.

Q. Was there pool selling over night?—A. I do not know.

Q. What I mean by the question is what is the largest meet outside of the ones that are conjoined with the agricultural associations or exhibitions?—A. I think two days are the limit. I won't say that because Fredericton gave a three days' meet without assistance.

Q. When I say the largest I mean the biggest in attendance when it is not conjoined with an agricultural society or exhibition?—A. That would be a hard question to answer. The towns that have them are about the same population.

Q. Am I right in putting it in this way that the attendance at a meet which is not conjoined with an agricultural association or exhibition ranges somewhere between 1,500 or 2,000?—A. I would think so.

Q. What is the admission charge?—A. Usually 50 cents at the gate and 25 cents for grand stand seats.

Q. How many races do you have a day?—A. Two and three.

Q. And the purses average about \$300. What would a stake go up to?—A. Not larger than \$500.

Q. You have a stake race each day?—A. The stake races would be distributed through the meeting.

Q. If there were two stakes distributed each day what would be the prize money per day?—A. The prize money for two races would be \$600. If you had three it would be \$900.

Q. And you usually do have three?—A. No, not often. Sometimes two and sometimes three.

Q. There is a certain expense in connection with the keeping up of tracks?—A. Certainly.

Q. And there is a certain expense in conducting your meet?—A. Certainly.

Q. Are you able to provide for that altogether out of what you receive at the gates?—A. Yes, and entrance money.

Q. There is no private subscription at the meets that are not conjointly held with societies or exhibitions?—A. The association will pay the guarantee.

Q. So you have a guarantee fund or a subscription fund?—A. Yes.

Q. Do you not in Nova Scotia go around and take up subscriptions from the hotel keepers?—A. We have never done that. Anybody that gives us voluntarily a guarantee or deposit we put it in the bank. If we did not need it we would return it.

Q. Who are the people who give those subscriptions or guarantees?—A. The business men and the good fellows of the town.

Q. The good fellows of the town are the hotel keepers?—A. Not always.

By Mr. McColl:

Q. The sporting element?—A. The business men.

Q. The men who benefit from the sport?—A. Who like the sport. I could give you a list of 33 men who guarantee the meets.

By Mr. McCarthy:

Q. That is the way those meets are kept up and financed?—A. That is the way

APPENDIX No. 6

unless they have a regular joint stock company that does it on regular business principles.

Q. Where have you got a joint stock company that does this on business principles. Can you recall any meet that is run by a joint stock company?—A. I fancy the track at Moncton is.

By Mr. Moss:

Q. Your experience as a horseman and a racing horseman has been confined, I take it, to Nova Scotia and New Brunswick?—A. And Prince Edward Island.

Q. You have never been in western Canada, either in Quebec or Ontario or west of that?—A. No.

Q. And you have had no experience in running horses?—A. None whatever.

Q. Now I gather from your evidence and your letter that you have very little betting on horse races in Nova Scotia?—A. Very little general betting.

Q. So far as Nova Scotia is concerned there is no necessity for any change of the law?—A. No, I do not think that if the law was put in force it would affect us.

Q. You do not come here of your own motion as representing an indignant people who want to stamp out evil in Nova Scotia?—A. No.

Q. You were brought here, I presume, by Mr. Raney and Dr. Shearer?—A. I came on a subpoena from the secretary of this committee.

Q. You had some correspondence before that with the Rev. Dr. Shearer?—A. I had a letter from Mr. Shearer and I answered it. I had a letter from Mr. Raney but I do not think I answered it.

Q. Did you hear from them at all before you wrote this for the 'American Horse Breeder'?—A. No.

Q. What you state about gambling places in the west you had no knowledge of?—A. A general knowledge.

Q. No personal knowledge?—A. No personal knowledge.

Q. What you said about it was derived from what you read in the newspapers and other material of that kind?—A. And what I had been told.

Q. You appear to think that the contest of the race course is an excellent thing for the breed of trotting horses?—A. I certainly do.

Q. And you would think the same thing would apply to running horses?—A. Yes.

Q. And you appear to think that there is not any great evil in a man attending a race meet and betting a \$10 note on a horse he fancies? I was interested in this paragraph: 'We have seen men, pillars of the church in which they happen to belong, who, without discredit to themselves so far as their religious standing was concerned, almost ruin themselves and injure their families by taking chances in the stock markets, unbridling the passions of greed and covetousness by the love of that which is said to be the root of all evil and against our moral law. Had these same men attended a race meeting and bet a \$10 through sentiment on a horse they fancied because of his ownership, looks or breeding, the same people who would have approved of his winning thousands he had never earned in stocks would regard him as well started on the road to perdition.' Now, that sets forth your sentiments in regard to that?—A. I have written it, and I do not see how I can repudiate it now.

By Mr. Meredith:

Q. I suppose you know that since the Hughes' law passed the trotting races that were formerly held in Poughskeepsie and Buffalo were discontinued?—A. I do not think they had a meet in Buffalo last year.

Q. You are a trotting man; don't you know, as a matter of fact, that they were discontinued after the Hughes' law was passed?—A. They had none last year. I do not know what the cause was. But they had a meeting in Buffalo before, and they had meets in alternate years before that. For what reason it was stopped I do not know.

Q. They were members of the National Circuit?—A. Yes.

Q. As a matter of fact, was not Buffalo a member of the National Circuit, and is it not a fact that they never missed a meet until the Hughes' law passed?—A. I would not like to answer that question definitely. It is my impression that they did miss meets for some years before last year, but I would not be sure.

Q. I gather from your answers to Mr. McCarthy and Mr. Moss that you recognize that there was betting in Nova Scotia and New Brunswick. I presume, like the rest of us, you have some friends who put up a few dollars at times on those races?—A. Yes, I have known some of my friends to bet occasionally.

Q. And they are still friends of yours, I presume?—A. I never lost one.

Q. And you do not think any the worse of them for it?—A. I would not like to pronounce on a man.

By Mr. Counsell:

Q. You followed the Grand Circuit pretty closely?—A. I read the turf reports of the Grand Circuit.

Q. You remember that in 1906 Cleveland started a meet and did not have any pool selling?—A. I do not think I recollect that.

Q. Do you recollect that in 1907 or 1908 the Cleveland track was closed?—A. I think that is right.

Q. Was there a Grand Circuit meeting at North Randall last year?—A. I think so.

Q. And pool selling?—A. I do not know.

Q. You recollect that Cleveland was closed because there was no pool selling in 1908?—A. I do not know that.

By Mr. Blain:

Q. You have two classes of races, I understand; one that takes place in connection with the agricultural fair?—A. That is correct.

Q. Are the prizes large at those races?—A. Well, they are usually a little more liberal. They can afford to give better purses when they have agricultural fairs who take them up. We take a chance of hanging up purses for horses with any agricultural fair. We have to draw our attendances largely from the town, but the other meet brings the country people in, and they can afford to be more liberal.

Q. And are the attendances larger at the joint races than at the real races?—A. Yes, I think they are. The inducement for a man to go there and enter is a larger purse and it brings a larger class of better horses generally.

By Mr. Raney:

Q. Do you know a contributor to the literature on the horse and horse racing by the name of Hamilton Busby, a New York man?—A. I know him by reputation.

Q. Is he looked upon as an authority on horse racing matters?—A. I think he is.

Mr. RANEY.—I find an article in the issue of 'The American Horse Breeder' for January 4th of this year, which I would like to put before the committee.

Mr. MOSS.—I would suggest this is going a little too far in the way of hearsay evidence. It is not even hearsay evidence, it is just putting in a newspaper.

By Mr. Counsell:

Q. Busby is the correspondent of the paper like yourself is he not?—A. He is on the staff of that paper. He is an independent man who writes for pleasure.

Q. He is a correspondent?—A. Yes.

By Mr. Raney:

Q. But he is one of the editorial staff?

Mr. COUNSELL.—We have no evidence of that.

WITNESS.—He is a regular contributor to the paper.

APPENDIX No. 6

Q. A regular correspondent like yourself?—A. He is on the staff.

Mr. Moss.—If newspaper articles are to be put in we can fill the room, and if the committee is going to decide by weight we will never get through.

Mr. McCARTHY.—I could get the 'Canadian Sportsman' or 'King Dodds' or 'Saturday Night' to fill their papers full of articles and ask the committee to receive them and then Mr. Raney might come down with more articles and more articles. Is the committee going to sit here and weigh newspaper articles?

Mr. BLAIN.—You must presume that the committee will know something.

By Mr. Sinclair:

Q. You said the largest racing meet was at Halifax?—A. I think that is right.

Q. In connection with the provincial exhibition?—A. I think that is right.

Q. There is no pool selling on the track?—A. No.

Q. The exhibition at Halifax is a provincial exhibition?—A. Yes.

Q. And the province is at the back of it?—A. Yes, and the city.

Q. It is not a paying institution?—A. No, there is a deficit.

Q. \$7,000 or \$10,000 every year I believe?—A. Yes.

Q. And the province pays one half of the debt?—A. And the city the other half.

Q. It is not like other race tracks in Canada in that respect. It is a provincial affair and the province is liable for the deficit?—A. That is right.

By the Chairman:

Q. I do not know whether this has any bearing or not but I noticed in this morning's 'Citizen' the following from Montreal: 'The Provincial Government of Nova Scotia has arranged to give the National Bureau of Breeding a bonus of \$500 for horses placed in that province. The first horse sent there will be stationed at Halifax. Similar grants are expected from Ontario, Quebec and Alberta. New Brunswick has already given a grant and is asking for more stallions on the same terms.' Do you know whether that is true?—A. I had heard that they were taking some steps to have a bureau.

Q. Bureau horses are thoroughbred horses?—A. Yes.

By Mr. Sinclair:

Q. The provincial government own some horses?—A. They own several horses.

By Mr. McColl:

Q. As I understand you, down in the eastern provinces, to which you have referred, they are all trotting and horse pacing meets, but not distinctively thoroughbred meets?—A. That is right.

Q. Then you have had no experience in racing such as they have had at the recognized jockeys clubs in Ontario?—A. Personally none whatever.

Q. And you do not know or do you know, the difference in expense in maintaining a thoroughbred stable and developing a thoroughbred for racing and developing a trotter?—A. No, I have no knowledge of the difference.

Q. You have given us some idea of the prices of the standard bred that you have down in your county. You know of one which the government purchased for \$5,000. Was that standard or thoroughbred?—A. A standard bred.

Q. You have never heard of a private owner paying \$11,000 or upwards for a standard bred?—A. No.

Q. Now then when I come to your race meetings I want to draw a comparison between the way in which they are financed and other meets are financed to see if I have the right idea. According to the National Trotting Association rules is it not the case that when they put up a purse of say \$100 the conditions are that any one who enters a horse for that race must pay at the beginning five per cent of the purse?—A. That is correct.

Q. And then of all the winners any one that gets a prize pays five per cent more?—A. That is correct.

Q. And there will be three winners in each race?—A. Or four.

Q. Now we will suppose there are ten horses entered in a race. I suppose you have often that or more?—A. Yes, we have sometimes ten.

Q. Would it be a fair average to say that ten horses entered the race?—A. No.

Q. What would be a fair average?—A. I suppose five or six.

Q. Do the rules provide that there must be at least four to enter and three to strat?—A. That is left to the discretion of the association. They can make the conditions.

Q. I am speaking of information I have got from reading the rules. I have seen the conditions and I have always conceived the conditions to be that there was first five per cent of the amount paid by those entering horses and then five per cent from the winners, and that there would be no race unless there were four entries and three starters?—A. That is the case.

Q. We will take the minimum and suppose that we had four entries each paying five per cent. That would make twenty per cent of the horses entered before the race?—A. That is correct.

Q. Then the three winners would be fifteen per cent more?—A. Yes.

Q. So that in every race there would be no race unless you took from the competitors twenty per cent and fifteen per cent or thirty-five per cent in all of the purses?—A. Whatever you figure it. I guess it is right.

Q. I take the minimum. That is four to enter and three to start. Five per cent to enter and five per cent from the winners?—A. That is right.

Q. Take a race where you have ten entries in the first part?—A. That is right.

Q. Ten entries of five per cent would be fifty per cent that you collect at once from the competitors?—A. On a \$400 basis.

Q. It doesn't make any difference on the basis. I am taking the percentage. Then you would get from the entrance money right at the beginning fifty per cent if there were ten entries?—A. Yes.

Q. Then you would go to the winners and you would take out if there were only three winners three times five, that is fifteen per cent, that would be taken out of the winners or in all you would get in that particular race 65% of the purse?—A. Exactly.

Q. From the competitors in the race?—A. Yes.

Q. And following that principle out it would be possible for you to finance the whole purse if you got entries enough without drawing upon gate receipts or any other resource?—A. I think there is a limit placed.

Q. And what is the limit?—A. I do not know exactly. I forget the proportion just now, but there is a limit.

Q. I am going into this evidence to show the difference between financing those little trotting meetings and the jockey club meets where they put up from \$80,000 to \$120,000. Would you in your country pretend to finance a race meet where you would put up a purse of from \$80,000 to \$120,000?—A. We have not got the population. We take our chance with the population that we have got as well as you do.

Q. Then the system that you have of financing is sufficient for the financing of the sport and the development of the standard bred so far as it exists?—A. Repeat that please.

Q. The system that you have in force of financing your meets seems to be sufficient to produce sufficient revenue to carry on the sport of trotting and pacing races or if I go into the higher aspect the development of the standard breed?—A. I think our system is not satisfactory in all respects but we get along very well.

Q. And sometimes these association meets have a deficit?—A. I presume so.

Q. And you as members of your association see that the horsemen are paid?—A. That is the first thing, to pay the purse.

Q. And if you have a deficit you pay it out of your own pockets or take subscriptions or do it in some other way?—A. Yes.

APPENDIX No. 6

Q. You say the standard bred horse is based upon breeding to a certain extent and performance?—A. Yes.

Q. The standard for trotters is 2.30 and for pacers, 2.35?—A. That is correct.

Q. Do I understand you to say that if a horse is capable of going on a race track and making a trotting mark of 2.30 that that horse is eligible for registration whatever his breed may be?—A. No.

Q. What breeding must he have in addition to that?—A. He must have been sired by a horse already registered or be out of a mare already registered.

Q. Well that has been an amendment to the rules. That has only been in force a few years.—A. The rules have been changed a few times, but a stallion could not be registered which could not go a mile in 2.30 and it would require to be sired by a registered stallion or be out of a registered mare.

Q. If we could get a half-bred horse, a freak, to make that record it would be eligible for registration?—A. I think that was the rule at first, but it became more stringent. We do not happen to have any of those freaks, not very many of them.

Q. You say this trotting and pacing business is comparatively of a recent date; it has not existed for centuries like thoroughbred breeding?—A. No. I suppose it is about 40 years old.

Q. And it had to have some certain point?—A. Yes.

Q. And the certain point was the performance?—A. Yes.

Q. And then as a matter of progress they paid attention to breeding?—A. They found that a certain breed or line of horse could come up to the test and they kept on reproducing that.

Q. Now you have spoken of this paper, 'The American Horse Breeder.' Does that paper deal almost exclusively so far as horses are concerned with the American trotting horse?—A. Well, yes. I think it does, but still there are lots of thoroughbred news and information in it.

Q. There is thoroughbred news?—A. There is considerable, but it is still an American trotting horse paper.

Witness discharged.

A. ORPEN, sworn and examined.

Mr. HARTLEY DEWART.—Mr. Chairman, I am counsel for the Metropolitan Racing Association, and I appear here on their behalf and shall reserve any rights they may have.

By Mr. Raney:

Q. Have you any present connection with any race track in Canada?—A. Yes.

Q. What is it?—A. A shareholder.

Q. In what track?—A. The Metropolitan.

Q. Have you a controlling interest?—A. Yes.

Q. And is that track in operation at present?—A. No.

Q. Has it been in operation during the year?—A. Yes.

Q. It is a running track and a trotting track also?—A. We have the right to give trotting but we have not given any yet.

Q. Can you tell me when you began operations on that track?—A. I cannot recollect. If you give me the date of the charter I will tell you. I think it was September or October.

Q. And you have had races since then?—A. Yes, twelve or thirteen.

Q. And how many days of trotting?—A. None.

Q. How many years of experience have you had as a race track man?—A. Twenty years.

Q. And you have been a bookmaker?—A. Yes.

Q. For how many years?—A. For about 15 years.

Q. On what tracks?—A. I have booked on all the tracks in Canada.

Q. And you have been proprietor of a pool room?—A. Yes.

Q. The pool room was closed up I think in 1905?—A. I think it was.

Q. At Toronto Junction that was?—A. Yes.

Q. Is there a pool room that you know of in existence in Canada, a race track betting pool room?—A. No.

Q. Then your experience qualifies you to give evidence of the different race tracks?—A. I think I am qualified to give information.

Q. Now will you tell me what you mean by bookmaking? How would you define bookmaking?—A. Bookmaking is a business, it is a matter of figures, of handling money at different prices so as to figure out a percentage for the bookmaker.

Q. He makes odds on the race?—A. Yes.

Q. And he exposes these odds to the public?—A. Yes.

Q. And takes the money that comes?—A. Yes.

Q. And he endeavours to arrange his odds that they may be a profit to him?—A. Exactly.

Q. Does the man who bets with the bookmaker who lays a bet with the bookmaker, does he bet with the bookmaker?—A. The bookmaker acts as a broker. He handles the money for different people. For instance, Mr. McCarthy may bet a \$10 and you may bet a \$10 and he handles the money for you.

Q. But if there is a loss in the making of the book who stands it?—A. The broker, he stands it.

Q. Then he is debtor to that extent?—A. Yes.

Q. Now what is pool selling as distinct from bookmaking?—A. Pool selling is where the chances of a horse are auctioned off. Supposing there are four horses in a race, I am the auctioneer, I say how much am I to offer for the first chance. A gentleman may pay me \$20, then I sell a second for \$10 and a third for \$10, that would be \$40. What you win you get, less five per cent as the case may be.

Q. Which would go to the auctioneer?—A. Yes.

Q. We have heard something about the Pari Mutuel. Do you know what that is?—A. I know in a general way. I know it has been a failure wherever it has been tried.

Q. It is in existence in Canada?—A. No.

Q. Will you describe it?—A. The Pari Mutuel is a machine with ten or twelve numbers on it. Each number represents a horse. Any person wanting to get a particular horse finds a ticket on that horse. All the tickets go into a pool and the one who buys the ticket on the winning horse gets the pool less five per cent.

Q. The tickets are sold at the same rates?—A. Yes.

Q. And the favourite is?—A. The favourite is looked on as the horse with the most tickets on it.

Q. And the first tickets sold will be sold on him?—A. That does not follow. Every person has his own notion of what should be the favourite. One man may have one horse as the favourite and another, another horse.

By the Chairman:

Q. Is the percentage that goes to the machine always five per cent?—A. Whatever they agree to charge.

By Mr. Raney:

Q. Now what is a pool room, a race track pool room?—A. A pool room is a place where you get a wire service from a race track. There is an operator there and you are connected with the track, no matter where it is. The operator gets the same information that you would obtain if you were at the race.

Q. And it is wired as the race proceeds?—A. Yes. And the men in the pool room who bet, they get the facts a minute or two after these facts are posted on the race track. They get these facts on the blackboard.

APPENDIX No. 6

Q. They are men supposed to know what they are doing. They know something about horses?—A. They would sometimes make you think they know a whole lot about them.

Q. Do you know what handbook men are?—A. Yes. The handbook man is an agent. He makes newspaper prices.

Q. What do you mean by that?—A. I mean that if a horse is running to-day and you think you can win you give him a dollar. The paper shows to-morrow that the horse has won and he hands you say \$2. If you have not won they keep your dollar. I know that that \$1 chance is going to run to-morrow but I do not know what the odds are. I come with the \$1 and I say I want to put it on a dollar chance. You come back to-morrow and tell me what the odds are and if the dollar chance wins I get according to the odds; if it does not win I get the experience.

Q. I understand there are handbook men in operation in Canada?—A. Yes.

Q. I suppose you know most about Toronto. How many handbook men are there in Toronto?—A. Probably four.

Q. As proprietors or as principals?—A. Practically only four in the business.

Q. Then these men all have runners?—A. Yes.

Q. How many men engaged in the business are engaged as runners or agent? They would not have more than four each?—A. One each.

Q. I have heard it said that a good many small dealers, barbers, butchers, cigar store men and so on make handbooks?—A. But you cannot call them handbook men.

Q. They do make handbooks in the same way but they are amateurs?—A. They are not amateurs but all they do does not amount to very much. Suppose you go into a cigar shop and there are six customers and each of the customers bets a dollar.

Q. How many do you estimate of these men are in Toronto?—A. Probably 20 or 30. A grocer will do that with you but that does not make him a handbook man.

Q. I understand that in Toronto there are men who go about the factories?—A. I do not know them. I do not know one that does. It is not fair to say that. I heard that there were such, but I do not know whether the men go to the factories or not. They say all sorts of things.

Q. Then you do know that certain men advertize in some of the Toronto newspapers?—A. Only what I have seen in the newspapers.

Q. They furnish tips?—A. Yes.

Q. Do you know whether these men give their right names in these advertisements?—A. Of course I do not know. All I know is what I have heard.

Q. We will take your knowledge?—A. I do not believe they gave their right names.

Q. Then I may take it for granted that you do not see any evil in bookmaking?—A. I do not.

Q. Or in the pool room?—A. No.

Q. Or in the handbook business?—A. To a certain extent yes and no. If carried to excess I do not agree with it, but if a man has a horse or a chance to win and he bets a dollar or two I do not think there is anything wrong.

Q. And the fellows who advertize in the newspapers and give tips do you regard them as an evil?—A. That is a different matter.

Q. You draw the line there?—A. I draw the line at anything that is not honest and I do not think that is honest.

Q. What you say in fact is that bookmaking and pool room business generally is something you do not disapprove of if it is on the square?—A. I do not.

Q. If the man pays according to the odds and, of course, a pool room man cannot pull a horse?—A. There are not many horses pulled.

Q. Then, to leave that subject, there is an organization, I understand, known as the Canadian Racing Association?—A. I believe there is.

Q. It consists of representatives of the different associations?—A. Yes, the Montreal Jockey Club, the Ontario Club, the Hamilton Club and the Windsor Club.

Q. Is the Metropolitan in that association?—A. Not yet. We have not made application.

Q. I understand there is a strong circuit of the tracks in the association?—A. Yes.

Q. It is in evidence in a statement that the two circuits total about 126 days in the year?—A. That is about it.

Q. There is an interval between the races sufficient to allow the horses to be transferred?—A. Yes.

Q. Will you tell me when you made books on the Woodbine track last?—A. About three years since.

Q. And you have been attending races since?—A. Usually.

Q. How many bookmakers are there on the Woodbine track?—A. I cannot tell you that. Mr. Fraser should be able to tell you.

Q. You know when you were a bookmaker what you paid for the privileges you had?—A. \$100 a day.

Q. At the Woodbine?—A. Yes.

Q. And you also made books at Hamilton?—A. I think it is five or six years since I was at Hamilton.

Q. How much did you pay there?—A. \$100 a day.

Q. And what at Windsor?—A. I did not go there.

Q. Do you have bookmaking on the Metropolitan track?—A. Yes.

Q. And do the men who make books there pay for the privilege?—A. They contribute whatever they like.

Q. It is a voluntary process?—A. Yes.

Q. Do they determine what they contribute?—A. Yes.

Q. Do you yourself make books there?—A. No. Under the new system I would not make books.

Q. Will you tell me how the bookmaker does his business?—A. Do you mean now or how he used to do it? I have not done it for three years. In olden times we had a box perhaps six feet by ten feet. A man stood in the front of the box. He had a slate. He was elevated perhaps two feet above the public. He named the horses printed on the card, and he would put up his price whatever the price might be. The cheaper he could handle the money the better for the book.

Q. Now, is a bookmaker a man of financial means?—A. It used to be so. I do not think it is so now.

Q. If not, then somebody must supply him with the money?—A. Yes.

Q. What about his assistants?—A. In what way?

Q. Does he have to have assistants?—A. Oh, yes; three or four assistants. He has to have five assistants. In the first place, you engage a bookmaker. I never made a book. I used to sit down to direct them. You employ a man who understands book-making. Then you have a money handler. Then you must have a sheet writer. He records the bets; and then a cashier, who pays the winners. Then you have to have an outside man to go and reinsure for you. For instance, if you come along with \$500 on a horse standing, it may be, at 3 to 1 or 8 to 5, I will take it down, but I shall look around the ring and let so much off for reinsurance.

Q. Just as fire insurance companies do?—A. Yes.

Q. You have five assistants?—A. Yes.

Q. What is paid to the five assistants?—A. \$10 a day each.

By Mr. McColl:

Q. Do you mean five assistants or four besides yourself?—A. Five. Four besides the man who makes the book.

By Mr. Raney:

Q. You are in the position of a financier? You employ a bookmaker and four assistants?—A. Yes.

APPENDIX No. 6

Q. How much is the bookmaker paid?—A. \$15 and 10 per cent of the winnings. He is like a lawyer, he gets it anyhow.

Q. Now, what is the size of the average book and money?—A. It depends on a man's capital.

Q. But if he has a good wad behind him, say \$10,000, what would be the average size of his book?—A. That would depend on the amount of money he could handle. The more money he could handle the more he could make.

Q. Well, in the Woodbine, let us see during the course of a race meeting. Have you had a bookmaker making books there? During the thirteen days in the spring and the meeting in the fall, what would be the size?—A. It would depend on the races.

Q. Give me a fair average?—A. Probably \$600 or \$700 to a race.

Q. How many races a day?—A. Six.

Q. Sometimes seven?—A. Yes, but not very frequently.

Q. You have been good enough, at my request, to let me see some bookmaker's sheets that were made for you?—A. Yes, but I did not know the use you were going to make of them, or I might have given you different ones.

Q. Will you look at this sheet I show you?—A. If these are going to be filed I think you should have let me bring other sheets. These are old sheets of mine probably three years old, probably more than that. I picked them up to let you understand how the business was carried on.

Q. You can make any explanation you care. But just look at these sheets and tell me what is the amount of money taken by you in these different books. There are eight sheets. Tell me what the size of the book was in each of these eight cases?—A. In the first one we took in \$1,602. This was a province bred race and in these races there is always a great deal of interest. In this case I see that Mr. Hendrie's was entered and Photographer and the Seagram's, all Canadian and Canadian owned horses. Now there is always a lot of keen competition between Canadians.

Q. That sheet shows \$1,600. What is the next amount taken?

By Mr. Sinclair:

Q. What was the largest bet there?—A. It looks like \$50.

Q. What is the smallest bet?—A. \$1.

By the Chairman:

Q. Are most of them under \$5?—A. The average is about \$5.

By Mr. Raney:

Q. What was the amount taken on that second sheet?—A. \$1,350.

By Mr. McCarthy:

Q. Can you give us the race?—A. The 7th race. That is all I can say.

By Mr. McColl:

Q. Name some of the horses. Probably some of the gentlemen would know from that?—A. It is too far back.

By Mr. Raney:

Q. Take the next sheet?—A. Don't you take down what we pay out?

Q. Not at present.

Mr. DEWART.—I think he should be allowed to give an explanation of each sheet in his own way.

Mr. RANEY.—What I am getting at is the size of these books.

Mr. MOSS.—The size of these books do not mean anything at all. We do not know the circumstances or the races. Mr. Orpen happened to be a popular bookmaker.

By Mr. Raney:

Q. What is the size of the third sheet?—A. \$1,654.

By Mr. Sinclair:

Q. How much did you pay out?—A. \$826.

By Mr. Raney:

Q. Next sheet, what is the size of the book?—A. \$440.

Q. That is the amount taken in?—A. Yes.

Q. The next sheet please?—A. \$252.

Q. The next one?—A. \$100.

Q. The next one?—A. \$560.

Q. And the next one?—A. \$1,236.

Q. And the last one?—A. This is another Canadian race. It just shows an interest they take in Canadian horses. The amount is \$896, but they are not a fair size.

Mr. DEWART.—If the witness desires to make any explanation he should be allowed to make it.

By Mr. Raney:

Q. Do you desire to make an explanation?—A. I mean to say that I do not think that these sheets were all one day's racing. I am sure they were not. These sheets lay on my desk and I happened to come across them, a dozen sheets or so, and you asked me for information and I picked up the first I came to. But these are not fair sheets.

Q. These sheets show rather heavy losses to the bookmaker?—A. I have not totalled them but I should think they were rather heavy.

Mr. STRATTON.—Let us have the receipts and expenditures.

WITNESS.—No. 1, the take, in money was \$1,236; paid out \$1,338; loss \$152. Next, the take, in money was \$896; paid out, \$1,160; loss \$296. Next, the take, in money was \$560; paid out, \$186; won \$374. The next, the take in money was \$252; paid out, \$153; profit, \$99. The next, the take was \$441; paid out, \$954; loss \$518. The next, the take was \$354; paid out, \$826; loss, \$172. The next, the take was \$1,602; paid out, \$1,612; loss, \$10. Photographer won. Mr. Hendrie second. The next, the take was \$1,350; paid out, \$1,598; loss \$248.

By Mr. Raney:

Q. In the meantime will you look at this sheet and explain what it is?—A. This is a better sheet. Here are two books I had down at Buffalo.

Q. Did you send over there a man named Slocum and a man named MacInernay with a superintendent?—A. Yes.

Q. With any assistants?—A. They got assistants over there.

Q. Will you explain that sheet; what does it show?

Mr. MEREDITH.—Have we anything to do with what takes place in the States. These are books I understand the result of meets in the States are they not?

WITNESS.—Yes.

The CHAIRMAN.—We have had a great deal of discussion of what has taken place in the States.

By Mr. Raney:

Q. I understand you sent them over there for a 30 days' meet giving them \$10,000?—A. Yes. One lost \$2,111, the other won \$3,808.

Q. One won \$3,808 as against a loss of?—A. \$2,111.

Q. Leaving a net profit of?—A. About \$1,000.

By Mr. Moss:

Q. That would be gross profit?—A. Net profit.

By Mr. Raney:

Q. After deducting all expenses and commissions?—A. Yes.

APPENDIX No. 6

Q. Including bookmaker commission of 15%—A. When you take off all expenses there was a profit of about \$1,000.

Q. The bookmaker was paid 15 or 10%?—A. 15%.

Q. And the superintendent?—A. \$10.

Q. And the man sent over to superintend the bookmaking?—A. Well he had an interest in the book.

Q. Was he paid a percentage on the profit?—A. That was his interest in the book. He was a partner.

Q. His percentage did not come out before the \$1,000 was arrived at?—A. No.

Q. Does that sheet fairly illustrate the way in which you do business?—A. It is fairly illustrative of the business.

Q. Of the ups and downs?—A. You cannot take the results of a day's business or of two days' business or a week's business. You have got to take the season's business and what is left that is your profit or loss.

By Mr. Moss:

Q. And there are good seasons and bad seasons?—A. Good and bad.

By Mr. Sinclair:

Q. Did you ever come out at the end of the season with a loss?—A. Yes.

By Mr. McColl:

Q. The information you are giving us now is confined to the betting at the race tracks while races are in operation?—A. Yes.

Q. It does not relate to handbooks or pool selling?—A. No.

By Mr. Stratton:

Q. Which do you consider the better way, confining betting to the race track?—A. Entirely.

Q. In your opinion as a man who has had experience in connection with the matter would you say that the least harm, if any, comes to the public from confining betting to the race tracks?—A. Entirely.

Q. And you think public morality would be improved or betting done away with to an extent by doing away with bookmakers outside the grounds and the gambling that takes place outside the grounds in rooms and elsewhere?—A. Yes, it would be a good thing to do away with it. But after all now supposing a man wants to bet a dollar how are you going to stop it?

Mr. STRATTON.—I know it would be difficult. But professional betting.

WITNESS.—There is not a professional bookmaker in Canada. You cannot call a barber a professional bookmaker.

By Mr. Raney:

Q. Is that quite true that there is not a professional bookmaker in Canada?—A. In this sense. A man may follow bookmaking for three months during the racing season and then go back to his own business.

Q. Mr. Saunders in Toronto, has a pool room but falls back on his own business when the races are not being run?—A. Yes.

Q. How many men in Toronto make books at the Woodbine?—A. Perhaps a dozen.

Q. How many in Montreal?—A. I do not know anything about Montreal.

Q. Hamilton?—A. I do not know.

Q. London?—A. How do you mean?

Q. Are there any Hamilton men who make a business of bookmaking on the race track?—A. I think there are five or six in Hamilton. I am guessing now.

Q. Do you know of any other in Canada?—A. There are perhaps two or three in Montréal. When we have no meeting in Toronto all our bookmakers go there.

Mr. COUNSELL.—Mr. Orpin doesn't mean that that is their own business.

Mr. RANEY.—He has said that.

Q. They are engaged in the bookmaking while the races are being run?—A. Yes, but it does not follow that that is all the bookmakers in Canada for this reason. Two butchers and two bakers might get together and say we will put up \$250 or \$500 a-piece, go to the Woodbine and hire a bookmaker.

Q. But having regard to the practice of the men who make books while the races are run your figures are about right?—A. About 15 altogether in Canada I think.

Q. It has been said that at the Woodbine and Hamilton there have been larger numbers, perhaps 60 or 70?—A. I am guessing now. But the last time I was at the Woodbine I think there were 35 books.

Q. I am told the number is around 70?—A. He is a bad fellow who told you that.

Q. The other bookmakers besides those who come from Canadian cities, where do they come from?—A. From the other side.

Q. They follow the horses?—A. Yes.

Q. About the horses, what proportion of Canadian horses run at the Woodbine?—A. You mean Canadian-owned horses? I should say 20 or 25 per cent.

Q. Would that proportion be true of Hamilton?—A. I do not know.

Q. Do you know about Fort Erie?—A. That is about the proportion.

Q. Do as many Canadian horses go to Fort Erie as to Hamilton or Toronto?—A. I think so.

Q. Do the Seagrams and Hendries send to Fort Erie?—A. Yes.

By Mr. Stratton:

Q. Do you mean Canadian bred?—A. Not necessarily.

By Mr. Raney:

Q. Do you know what proportion of Canadian bred horses would be at the Woodbine?—A. Well, it would run about 20 per cent.

Mr. RANEY.—Not much difference from the other percentage.

By Mr. McCarthy:

Q. You must be wrong there. The first question was Canadian owned horses, then he asked you about Canadian bred horses?—A. There is a difference between a Canadian owned horse and a Canadian bred horse.

Q. The Canadian bred horse would be a lower percentage. Now, do you know about the attendance at Fort Erie?—A. No; I do not go to Fort Erie.

Q. Or Windsor either?—A. No.

Q. What would be the average attendance at the Woodbine?—A. I do not know.

Q. Your estimate of it?—A. Mr. Fraser could give you all that.

Q. Could you make an estimate of the proportion of the visitors at the Woodbine who are frequenters as distinct from the casual visitors?

By Mr. McCarthy:

Q. To a race track?

By Mr. Raney:

Q. Frequenters who go from day to day?—A. You mean citizens?

Q. I mean anybody. Suppose the total attendance on a particular day was 10,000, including everybody; what proportion of that 10,000 would be what you call frequenters, that is men who go from day to day or on several days during the meet?—A. You mean what percentage of the attendance would be continuous visitors?

Q. Pretty continuous during any particular meet. Are they mostly frequenters or are they mostly casuals?—A. I think they are mostly frequenters.

Q. Could you say what proportion?—A. No, I could not say that.

APPENDIX No. 6

Q. Taking the frequenters, the total who go from day to day pretty constantly——

By Mr. Moss:

Q. Is Earl Grey a frequenter?

Mr. RANEY.—If you like.

By Mr. Raney:

Q. What proportion would be the betters with the bookmakers?—A. I think three-fourths of the people who go there bet.

Q. Of the whole attendance three-fourths would be frequenters?—A. I do not understand that. There are two ends to the Woodbine. There is the members' end and the public end, and I should say that 75 per cent of the public bet.

By Mr. Hartley Dewart, K.C.:

Q. You said there were no professional bookmakers in Canada, and that the men who did make books had some other business. Take your own case. What is your business?—A. A contractor.

Q. And you have had large contracts in connection with the Toronto water system and building public buildings?—A. Yes.

Q. And you have a large brick manufacturing business of your own?—A. Yes.

Q. Your bookmaking is a pastime?—A. A side issue.

Q. Now, something was said with reference to the gambling business on race tracks, having reference to the bookmaker. Do you recognize the bookmaker as a gambler?—A. Certainly not.

Q. Is it a fair term to apply to him?—A. It is not. Applying the term of gambler to the bookmaker is an insult.

Q. He has, in your opinion, a regular business, a business that can be legitimately carried on on well known principles?—A. Quite so.

Q. And it would not be fair to apply the term gambler to him?—A. Certainly not.

Q. So far as the business of bookmaking is concerned, in making your odds what are the factors that enter into your consideration?—A. The past performances of the horses and jockeys, the condition of the track, the distance and the weight that is carried.

Q. And are there recognized principles of handicapping?—A. Yes.

Q. Then you were speaking of betting men reinsuring. Would you explain that?—A. When I was in the business I would always take a good sized bet. If a man offered me \$500 or \$1,000 I would always take it with the hope or intention of placing it around the ring at a better price. Since the change of the law on bookmaking I could not do it.

Q. What change? Has the change in the law or the interpretation of the law had any effect upon the business of bookmaking? If so, what effect?—A. Well it made me quit.

Q. Why?—A. Because I could not bet out in the field and push all over for the sake of trying to make \$20, \$30 or \$40.

Q. And so far as insuring is concerned?—A. You cannot carry it on.

Q. Why?—A. Because in olden times the slates stood up four or five feet above the heads of the public. I had my field glasses. I could look over and see what this man was laying or that man and then I would send my runner. Nowadays there is a little slate as high as a man's head and they tear all the clothes off your body trying to get near it. That is the reason I quit the business. The public, hundreds of the public have said to me, for God's sake try and get the law changed and let us get betting in comfort without tearing our clothes off or cut it out altogether. That is the opinion of the public.

Q. So far as racing is concerned, speaking now of running races, what do you say as to the necessity of betting on a reasonable basis as a business having regard

to the continuance of the sport of horse racing?—A. Horse racing could not continue without a revenue from the betting.

Q. Take the race track in which you have a controlling interest, the Metropolitan Racing Association. Now do you get your money for your purses there?—A. We get it by contribution from the bookmakers. Voluntarily contributions.

Q. And though you do not get it by any contract or tender is that contribution equally necessary in the case of your association?—A. Absolutely. You could not race a day without it.

Q. Something was said with reference to the sheets that were put in and you wanted to make some explanation as to the amount made on those races. Is there any explanation you want to make about that?—A. This explanation. In the province bred race there is always ten times the interest in it that there is where American horses and Canadian horses mix up.

Q. And would that account for the difference in the amounts as compared with the average sums you have spoken of?—A. Yes. You see a Canadian bred race attracts so many followers of the different stables who bet on the race when they would not bet so much on others.

Q. Take yourself as a well known Toronto man and as a well known betting man, would you do as much or more than the average business done at the time you were doing business in bookmaking as compared with the others?—A. I did a long way the largest business.

Q. So your sheets would show larger receipts especially on province bred horses?—A. If you compare my book with three of the books of the other side I think it would be a fair comparison.

Q. You do as much business as three Americans because of your knowledge of the people?—A. Yes.

Q. Do Canadian bookmakers do business in the United States?—A. They did.

Q. They go to American race tracks as Americans come to Canadian?—A. I sent two over to Buffalo.

Q. And this comparative statement you put in shows what business was done by those sent over to the other side?—A. Yes.

Q. Having regard to the connection between racing and betting on the race track and the encouragement of the sport of racing, take the King's Plate in Toronto, what would you say as to that race?—A. As to the amount of money on hand?

Q. As to the effect that the betting on the race has upon the encouragement of the sport?—A. Why there are hundreds of people who bet on the King's Plate who do not bet on anything else. I had a letter from a man in Saskatchewan wanting the prices on the King's Plate.

Q. For the next meet?—A. Yes, and the entries do not close until the 1st of March. So you see the interest that is taken in it. There are half a dozen out there. The King's Plate to Canada is like the Derby to England.

Q. Now I want to ask you about a couple of matters. A good many petitions have been sent to this House. They refer to the Metropolitan Association as if it were some iniquitous thing and they also refer to the cancellation of the York Riding and Driving Club charter. Will you tell us how it came to be cancelled?—A. It was cancelled for non-using ten or twelve years ago.

Q. At the time it was cancelled what was the condition of affairs on the track?—A. We had a race meet.

Q. The charter was in actual use and the race meet was on. Then the application was made for the charter of the Metropolitan Racing Association?—A. Yes.

Q. And under that charter you have conducted races?—A. Yes.

Q. Have the races conducted under that charter been conducted in strict accordance with the law?—A. In strict accordance with the law.

Q. And as far as betting is concerned under the existing decision, has there been any contravention of that?—A. Absolutely nothing.

Q. That is a half mile track I believe, and so far as the class of horses that race

APPENDIX No. 6

on the Metropolitan are concerned are you able to give the races that suit the breeder?—A. Oh, yes. The poor horse breeder has a chance to win on tracks like that that he has not on the larger tracks.

Q. Will you explain what the conditions are that exist on the Woodbine and Metropolitan in that regard?—A. The Woodbine is on a higher plane. It caters to a higher class of horse. Where you get a higher class of horses together the lower class of horses have not a chance. They must go somewhere where they are equal.

Q. By the lower class you mean horses that have not the same speed as others?—A. Yes.

Q. What has been the effect so far as the Woodbine is concerned of the enforcement of the law in New York state. It has brought better horses to Canada has it not?—A. Yes.

Q. And we have had a better class of horses racing at the Woodbine?—A. A great deal.

Q. And the purses given at the Woodbine are much larger than before?—A. They have been increased.

Q. So that the class of racing, the tone and morale of racing has been better at the Woodbine and in Canada during the last few years?—A. Yes, they have sent more visitors here.

Q. Then so far as the Metropolitan racing season is concerned what you mean is that you have an equally legitimate series of races there that you are able to offer purses which appeal to the poor man as compared with the richer horse breeders at the Woodbine?—A. Yes.

Q. How many horses had you racing during the 12 or 13 day meet?—A. 175 or 180.

Q. And as an association they are not bound to give a meet. I believe you give a purse of \$200 each for five races each day?—A. Yes.

Q. And I believe your charter for the York Driving Club was doing the same thing at the time it was cancelled?—A. Yes.

Q. Was that charter cancelled in the middle of a race meet?—A. Yes.

Q. Had it still three days to run?—A. Yes.

Q. That is three days in which there were three \$1,000 purses. Did the association disband without giving the race?—A. No, they called the horsemen together and said, 'There is the money, race for it.'

Q. So you gave \$3,000 to keep faith with the public?—A. Yes. But you have not mentioned anything about the other half mile tracks.

Q. There are other half mile tracks?—A. There are 200 half mile tracks in Canada.

Q. Which are they, trotting or running tracks?—A. Trotting tracks.

Q. Tell us where they are?—A. All over. There are 97 in Ontario.

Q. In which trotting races are given under the auspices of local trotting associations?—A. Yes.

Q. Are there any trotting meets exclusively for trotting in the city of Toronto?—A. No.

Q. So far as the city of Toronto is concerned have you any trotting associations or driving?—A. Two, the Toronto Driving Club and the Dufferin Driving Club.

Q. And what class of races do they give in the summer?—A. They give track races every Wednesday and Saturday.

Q. One giving a track race on Wednesday and the other on Saturday?—A. Yes.

Q. These are the two associations supported by the standard trotting men in Toronto?—A. Yes.

Q. And under the arrangement with you do they have races with you at the Metropolitan?—A. Yes. Each has its own charter.

Q. So that as far as the question of racing is concerned their interests have to be considered as well as those of the running men?—A. Certainly.

1-2 GEORGE V., A. 1911

Q. And do they give purses?—A. Yes. Twice a year they give a meeting.

Q. Is there betting on the races that are carried on there?—A. Yes.

Q. Bookmaking?—A. Only bookmaking, and I mean it is the only place in Canada where there is only bookmaking on trotting. Everywhere else there is pool selling. It shows you how necessary it is in connection with trotting races. Although pool selling is prohibited by the code there is no trotting match which has not pooling.

By Mr. Raney:

Q. Are you speaking from your own knowledge?—A. I am speaking with the same knowledge that I spoke to you. There may be a little half mile track somewhere where they give a meeting and do not have pool selling, but generally everywhere they give a meet they have pool selling.

By Mr. Stratton:

Q. What do you say about the winter meets on the ice? Are these trotting and have they pool selling?—A. Why yes. There is one in Ottawa here. It is the greatest place in Canada for pool selling. There are more pools sold in Ottawa than in any place in Canada. Pool selling is necessary to trotting meets not to running races.

Q. And so far as the pool selling is concerned is it distinctly a reputable affair?—A. Certainly, just like any other kind of auction sale.

Q. So far as pool selling on trotting races is concerned does that lead to the establishment of pool rooms or handbook betting?—A. No.

Q. There are no pool rooms or handbook betting in connection with trotting?—A. No.

Q. So far as the Metropolitan Racing Association or the meets held under its auspices, or of the York Driving Club and Dufferin Club are concerned, was there any pool room in connection with these tracks?—A. No.

Q. No handbook betting grew out of these?—A. None.

Q. I believe you have had an interest in the breeding of horses as well as in the other side of horses?—A. Yes.

Q. Have you bred horses to any extent?—A. I have bred quite a few and imported quite a few.

Q. How many horses did you import?—A. 15 horses and probably 150 or 200 mares to Canada.

Q. Would you have gone into that business and imported these mares and gone on breeding horses if it had not been for this encouragement that racing gives to the improvement of stock?—A. No.

Q. Take any individual instance. What is the best price you ever realized for a horse developed by yourself?—A. I bought Appomatox. He cost me \$200 and I got \$10,000 for him. It is all part of the business. The next year I bought 20 horses and I sold two, Sarmation was one; I got \$12,000 for them.

Q. So you had your losses on the other side?—A. Certainly. I sent three jumping horses to Fort Erie. I had refused \$13,000 for them and I lost three of them in four days.

Q. How?—A. They hit the sticks; they were not clean skaters.

Q. Then there was a question with reference to trotting horses in Canada. Are there any good trotting horses in Canada?—A. The best in the world. The best the fastest trotting horse in the world, is in Canada.

Q. Is it in Canada?—A. Yes.

Q. Do you know anything about investments in trotting? Are there any?—A. Yes. Miss Wilkes of Galt.

Q. What do you know with reference to the investments?—A. I think she has 150 head of horses that cost from \$500 to \$25,000.

By Mr. Powell:

Q. You made a remark at the beginning of your evidence that the Pari Mutuel machine had been a failure wherever it was tried?—A. Yes, except in France.

APPENDIX No. 6

Q. They are a great success in France are they not?—A. Yes.

Q. A great success in Germany are they not?—A. I have not heard of them being used in Germany; I do not know.

Q. Will you tell me the country where they are a failure?—A. The United States.

Q. Where are they a failure in the United States?—A. They were a failure at the National last year.

Q. In Kentucky you are speaking of? Is there not one official system practiced in Kentucky? Is it not the only legal system?—A. I do not know.

Q. Were they not used at Louisville?—A. And thrown out.

Q. What about Australia?—A. I never was there, I do not know anything about it.

Q. If I told you they were extensively used there?—A. I do not know.

Q. The purpose of the machine is to eliminate the interest of the bookmaker?—A. Yes.

Q. Therefore long ago you formed a strong aversion to the machine?—A. I never had any interest one way or the other.

Q. Naturally the bookmakers did not like them?—A. I have no feeling in the matter at all.

Q. They naturally did away with the interest of the bookmaker?—A. Yes.

Q. The money is kept among the public. The purpose of the bookmaker is to take the public money. At any rate he hopes to get it in time?—A. Yes.

By Mr. McCarthy:

Q. Mr. Raney asked you about the advent of the handbook. Was the handbook ever heard of in Canada until after the Hughes law was passed in New York State?—A. No.

Q. Did not the handbook come into Canada as a result of the passing of the law in the United States?

By Mr. McColl:

Q. Perhaps it was because of the inconsistent position in our Criminal Code?—A. I think that had more to do with it than anything else.

Q. The fact that the Act had been construed that a man must walk about to make books?—A. Yes.

By Mr. McCarthy:

Q. But you had never heard of the handbook in Canada until after the passing of the Hughes law?—A. No.

Q. Mr. Raney also said something about the pulling of horses. What do you as a bookmaker say with reference to that question?—A. I have been booking for twenty years and I think that probably with four or five exceptions I never knew any horse to be pulled.

Q. Is it a fact that the bookmakers try to do the public, or do some members of the public have the horses pulled to do the bookmaker?—A. When any pulling is done it is done for the purpose of doing the bookmakers, but there is very little of it done. Out of 100 races at the Woodbine I do not think there is 2 per cent.

Q. And in any case where it does exist, don't the Jockey Club follow it up and punish it as drastically as possible?—A. They certainly do.

Q. There is a principle on which a bookmaker should conduct his business?—A. Certainly.

Q. And if he conducts it on that principle he cannot lose. He is a commission agent. If he goes beyond that principle he may lose or he may win?—A. He certainly may.

Q. Is there any difference between the bookmaker and the stock broker in that regard?—A. No.

Q. A bookmaker pays for his privilege to do business on the track, the stock broker pays a large sum for his seat on the stock exchange?—A. Sure.

1-2 GEORGE V., A. 1911

Q. He charges so much per cent commission on the stock sold?—A. Yes.

Q. If he sticks to legitimate stock broking he cannot lose?—A. I should say no.

Q. If we hear of a failure of a stock broker, it must be because he is speculating himself?—A. Yes.

Q. And the same may be said of the real estate agent?—A. Yes.

Q. Is there any difference between the business of the bookmaker and the business of a merchant or a lawyer?—A. The lawyer cannot lose.

Q. Neither can the other man if he sticks to his business. If the bookmaker sticks to his own business he cannot lose, but the moment he goes speculating he may. Is there any element of dishonesty or evil in the bookmaking business?—A. None that I am aware of.

By Mr. Dewart:

Q. Then it would not be fair to call a bookmaker on the race track a gambler?—
A. Certainly not.

By Mr. McColl:

Q. When you go on a race track where bookmaking takes place is it not the fact that the public make the odds?—A. Decidedly.

Q. The bookmaker may suggest them at the beginning, but it is the public that makes them?—A. It is the amount of money bet on a horse that makes the odds.

Q. And that is controlled by the public?—A. Entirely.

Q. What do you say about the proposal to reduce the length of the race meets in Canada? We have had some evidence along that line?—A. That is what is my opinion as to the wisdom of reducing? I do not think it is wise.

Q. Would you explain that?—A. I think we should have thirty days, fifteen in the spring and fifteen in the fall.

Q. You say that the Woodbine should have at least fifteen days in the spring and fifteen in the fall. But as I understand, there are some race meets where they go on continuously thirty to sixty days?—A. I think that has only occurred in the west once.

Q. Would you consider it advisable to prohibit that occurring again?—A. I certainly would; and I would make it thirty days for this reason, that this is a big country, and that whilst the Woodbine might not want thirty days just now, they may want it in the future, and once you get that legislation on your statute-book you will never get it off.

Witness discharged.

The committee adjourned until Wednesday, January 26.

WEDNESDAY, January 26, 1910.

The committee resumed at 11 a.m., Mr. H. H. Miller presiding.

W. P. FRASER, called, sworn and examined.

By Mr. Raney:

Q. You are the secretary, I think, of the Canadian Racing Association?—A. Yes, sir.

Q. What are the units, will you tell me, of the Canadian Racing Association?—

A. The Ontario Jockey Club, the Hamilton Jockey Club, the Montreal Jockey Club, the Windsor Racing Association and the Niagara Jockey Club at Fort Erie

APPENDIX No. 6

Q. Does the Canadian Racing Association exercise any control over these tracks?
—A. Yes.

Q. What control?—A. It regulates and makes the dates of the meetings, it licenses trainers and jockeys and sees that the rules of racing, as laid down by it, are carried out.

Q. Does it deal with the question of revenue?—A. No.

Q. Do you know of the revenue of the different associations?—A. No.

Q. You do of the Woodbine, of the Ontario Jockey Club, of which you are secretary?—A. Yes.

Q. Do you know which of those associations pay dividends?—A. No.

Q. Except the Ontario Jockey Club?—A. Except the Ontario Jockey Club.

Q. Will you tell us what was the length of the meets at the different tracks last year?—A. Spring and fall?

Q. Yes?—A. Toronto, 20 days; Hamilton, 22; Windsor, 30; Montreal, 26; Fort Erie, 30.

Q. How much altogether?—A. 128.

Q. And the strings of horses went from one track to another?—A. Yes.

Q. For the most part I suppose?—A. In some cases.

Q. Do you yourself attend the different meets?—A. Yes.

Q. From start to finish?—A. No.

Q. You do the Woodbine from start to finish?—A. Yes.

Q. What attendances do you put in at Hamilton?—A. From time to time.

Q. And the same way on the other tracks?—A. Yes.

Q. Now you are also secretary of the Ontario Jockey Club?—A. Yes.

Q. What are the sources of revenue of this club?—A. I think you have, Mr. Raney, there a statement which has been furnished you by the Ontario Jockey Club.

Q. That does not show all the sources of revenue. I want to know what the chief sources of revenue were?—A. The chief sources of revenue of course are the gates.

Q. That is the chief?—A. Yes.

Q. What are the others?—A. The privileges of various kinds.

Q. Will you enumerate them please?—A. There is the betting privilege, the privileges received from the restaurant, members' subscriptions. I think that will about cover them.

Q. These are the leading ones?—A. These are the leading ones.

Q. How many members are there?—A. 700.

Q. What is the amount of the membership fee?—A. \$25.

Q. You produce now a statement giving certain information and appended to that are copies of the balance sheets certified by your auditor for the years beginning with 1904 and ending with 1909?—A. Yes.

Q. And your statement shows that in 1904 the gate receipts were \$59,323?—A. Yes.

Q. And in 1909, not giving the intermediate figures, \$135,615?—A. Yes.

Q. It shows that the moneys received from the betting privileges, bookmakers' licenses, or contributions, or for advance racing information was \$43,000 in 1904, \$86,750 in 1906 and \$67,700 in 1909?—A. Yes.

Q. The other years being here given?—A. Yes.

Q. Will you tell me whether those figures that I have just mentioned cover anything except bookmakers' licenses or what you call advance information?—A. No, those are the figures for betting privileges.

Q. Bookmaking privileges?—A. Bookmaking privileges and for advance information

Q. Then you have bar receipts ranging from \$3,500 in 1904 to \$6,500 in 1906?—A. Bar and restaurant.

Q. That does not include the license which is non-intoxicating. I believe your

lar license is non-intoxicating?—A. We have no liquor license for the other end of the stand.

Q. Then the moneys disbursed for prizes in 1901 amounted to \$50,870 which has risen from year to year until last year they amounted to \$123,850?—A. \$124,000 in round figures.

Q. Then you have dividends paid each year amongst shareholders amounting to \$1,000?—A. Yes.

Q. That is 10 per cent dividend on \$10,000 paid-up stock?—A. Yes.

Q. And \$10,000 represents the actual investment in the company?—A. \$10,000 represents the actual investment in the company.

Q. Now looking at your balance sheets I find that in the year 1905 you apparently made a small loss. Your surplus in 1904 was \$89,773, and in 1905, \$87,092?—A. Yes.

Q. Then in 1900 your surplus had increased to \$151,753 being a profit or an increase of surplus of \$64,660?—A. Yes, \$64,660.

By Mr. Stratton:

Q. That is receipts?

Mr. RANEY.—Yes, 49. That was a mistake.

By Mr. Raney:

Q. Then your profits for the next year were \$69,789, that is for 1907?—A. Yes.

Q. And for 1908? \$59,724?—A. Yes.

Q. And for 1909? \$66,778?—A. Yes.

Mr. MCCARTHY.—Should that not be \$49,724 for 1908?

Mr. RANEY.—Yes, 49—That was a mistake.

By Mr. Raney:

Q. You say that last year they were \$66,778?—A. Yes.

Q. Then your present surplus according to your balance sheets over the \$10,000 invested is \$337,846?—A. If those are the figures, yes.

Q. Now that surplus is arrived at by taking in the land which the club owns at actual cost?—A. Yes.

Q. And taking everything else at actual cost?—A. You mean buildings and so forth, yes.

Q. Then you have your real estate?—A. Yes, \$150,000 for the Woodbine and \$47,000 for the land at Scarboro.

Q. I see you have investments on the credit side amounting to \$141,975? What are those?—A. Those are stocks of various kinds.

Q. Which the club is holding as investments?—A. Yes.

Q. And on the other side you have a mortgage for \$100,000 which is against the Woodbine property I suppose?—A. Against the Woodbine property.

Q. And deducting that and the \$10,000 of subscribed stock you get the surplus of \$337,846 which we have referred to?—A. That is the credit.

Q. Then the actual values of your land is much more?—A. Well it is impossible to say.

Q. You are not making any values anew?—A. No.

Q. Now do you produce your account of receipts and disbursements for 1909?—A. I don't because it has not been asked for.

Q. Well it was asked for since the subpoena was served?—A. Yes by you. You suggested that, but I do not think you pressed the point.

Q. If you get that statement you will produce a copy of it?—A. A copy of that statement is here but not in the room.

Q. But it is available?—A. Yes.

Q. Is the advance information transmitted from the Woodbine direct by telegraph?—A. No.

Q. You understand what I mean. From some of the tracks, at all events on the

APPENDIX No. 6

American side, information is sent by telegram to pool rooms for use in betting in pool rooms?—A. May I correct you there. The advance information is the betting privilege in other words. I think you understand that.

Q. Is that information telegraphed from the Woodbine track to anywhere else?—A. It is.

Q. By whom is it telegraphed?—A. By the news companies.

Q. Does the Ontario Jockey Club receive a revenue from that source?—A. Yes.

Q. What is that revenue?—A. In the year I think about \$3,000.

Q. For how many years has that practice been going on?—A. To be accurate there have been years that information has not been sent out.

Q. For how many years back does it date?—A. I should not think more than ten.

Q. Who pays this \$3,000 or whatever it may be?—A. The news companies.

Q. What news companies?—A. Through the Western Union.

Q. American news companies?—A. American news companies, yes.

Q. Is it sold to Canadian news companies?—A. No, I fancy not.

Q. Will your books show this account?—A. Yes.

Q. I would like to see those accounts. Then you know that that information is telegraphed for use in pool rooms?—A. I cannot say that.

Q. Well do you know of any reason for which it is telegraphed?—A. It may be telegraphed for many reasons.

Q. Do you know now of this association which pays for this advance information sent by telegraph?—A. Yes, there are various news companies which have paid for that.

Q. How many paid for it last year?—A. One.

Q. What was that?—A. The Inter-State News Company.

Q. Is that a sporting company?—A. I could not tell you that.

Q. Does it furnish information to the pool rooms?—A. I could not tell you that.

Q. As a matter of knowledge, because you know all these things, as a matter of common knowledge among men of the race track is that so?—A. I have no positive proof of it.

Q. That is your impression?—A. That is my impression.

Q. Does the Hamilton track also sell information in the same way?—A. I cannot tell you.

Q. Or Fort Erie?—A. I could not tell you.

Q. Or Windsor?—A. I know nothing about these things.

Q. Will you make me a statement of the income from this source for the past six years?—A. Yes, if the committee desires it.

Q. Showing what companies pay these moneys?—A. Yes.

Q. Now who is in control of that information?—A. The company who receives it.

Q. But who in your club?—A. We have nobody in control.

Q. I suppose you are, or the directors?—A. The directors, no.

Q. Of course this is authorized by the directors?—A. No, it is not.

Q. Who authorizes it?—A. I authorize it. The directors authorize everything but not that specially.

Q. They know it is going on?—A. Oh, yes.

Q. And they know revenue is coming in from this source?—A. Yes.

Q. Then the bookmakers, who looks after them on the Woodbine track?—A. In what connection, that is a broad question.

Q. Who has general charge of them, because we are told they are regulated by the Ontario Jockey Club?—A. The bookmakers look after themselves to the extent that they are under the discipline of the club when they are on its grounds.

Q. And who is the disciplinarian?—A. A representative officer of the Ontario Jockey Club.

Q. And who is he?—A. Myself.

Q. Will you tell how you make your arrangements with the bookmakers, that is to say how the Ontario Jockey Club makes the arrangements and what they are?—

A. The Ontario Jockey Club makes no arrangements with bookmakers at the moment. In the past betting privileges were sold as explained to you by the witness, Mr. Orpen, to an individual.

Q. That is the whole privilege was farmed out?—A. The whole privilege was farmed out.

Q. That goes down to the year 1906?—A. That was to the year 1906.

Q. The privileges were farmed out then at more than you have been realizing by the different plans you introduced the following year?—A. Yes.

Q. The statement shows that.

Mr. McCARTHY.—Well not exactly.

By Mr. Raney:

Q. Well the revenue from this source was \$86,750 in 1906 and the next year it fell to \$55,685. Then after 1906 you went on with a new plan, what was that?—A. We sold first information. That is to say information containing ahead of time the horses which would start, the jockeys who would ride them and the scratches, that is to say withdrawals from the card to make it plainer, and other information relating to the day's proceedings in the actual racing.

Q. To facilitate bookmaking?—A. No, to give the public information.

Q. Well go on.—A. I have explained.

Q. Since 1906 the Jockey Club has been dealing direct with the bookmakers?—A. The Jockey Club has been selling advance information.

Q. To the bookmakers direct?—A. To the bookmakers direct.

Q. And your statements show the revenue you derived from that source?—A. Yes.

Q. How many bookmakers were there on the track in 1909?—A. On any one day or during the 20 days?

Q. Take an average if you like?—A. Say 50 as an average.

Q. How high would the number run?—A. 70.

By Mr. Blain:

Q. Does the advance information reach the public newspapers?—A. It reaches anybody that is able to subscribe for it or wants it. The advance information or the first information is not confined to bookmakers. Any person can buy it who wishes to do so.

By Mr. Raney:

Q. Of course as a matter of practice nobody does buy it except bookmakers?—A. Oh yes, people have bought it.

Q. Can you give me a case?—A. Yes, I can.

Q. Give me one?—A. I cannot give the names.

Q. Do you know of any purpose that it would be wanted for?—A. Yes, for the purpose of a man getting his card in order for the day.

Q. An individual better?—A. Yes, if you choose to call him a better.

Q. What amount would he be charged?—A. The same price as the bookmaker.

Q. What is that?—A. \$10 per race.

Q. I understand that before 1906 the charge was \$100 a day to the bookmaker?—A. I believe that is what the men who had the privilege received. I am not sure of that of course.

Q. Who was that man?—A. For many years Fred Haskins, now dead.

By Mr. McCarthy:

Q. Of where?—A. Toronto.

Q. A Canadian?—A. Yes.

By Mr. Raney:

Q. You did not have pool selling on the Ontario Jockey Club course?—A. No.

APPENDIX No. 6

Q. And of course you have no pool room there?—A. No.

Q. And the only kind of betting from which you derive a revenue is the book-making on the track?—A. Is the sale of that information.

Q. That is the \$3,000 which you referred to a little while ago as having been received for telegraphic information. Is that amount included in the statement which you have given and which has gone in?—A. I think not.

Q. That would be an extra item of income?—A. Yes. I am not sure about that, but I should think not.

Q. Do you know whether this advance information is furnished to anybody in Toronto for use outside the race course?—A. For use outside the race course? I should not think so. What use would it be to them outside the race course?

Q. Well I am told there is betting by hand books on the street?—A. I do not know anything about that.

Q. Can you answer my question?—A. Not by the association at any rate.

Q. The information sent by telegraph is sent to the station you say?—A. No, I do not know where the information is sent by the telegraph companies.

Q. It is sold to an American company?—A. Sold to an American company.

Q. Now of course you have had a very long experience in this line. How many years have you been secretary?—A. Since 1898.

Q. And I suppose you disapprove of the pool room? A. Yes, I do not think the pool room is a good institution.

Q. What I mean, you know, is the race track pool room?—A. Not the race track pool room. You said I disapproved of the pool room.

Q. You refer to a race track pool room?—A. I called it a pool room, I did not call it a race track pool room.

Q. It is a room where books are made on the races, the information being supplied by telegraph?—A. Say a pool room, because I do not know a race track pool room.

Q. Then you also disapprove of the hand-book business?—A. I do not think the hand-book business is conducive to the best interest of racing. Quite the contrary.

Q. And you disapprove of the advertisements of tips?—A. I do not think that that helps things at all.

Q. And you disapprove of touts and all their connections?—A. Yes.

Q. Will you compare for me, you have observed them, the attendances at Hamilton and Fort Erie?—A. I cannot tell you anything about the attendances at these places. I have not the faintest idea. Attendances are very misleading on race courses and all public places. I have heard people say there were 20,000 when there was not 10,000.

Q. Do you know how the number at Hamilton and Fort Erie would compare with the Woodbine?—A. You have that information and can tell better than I can. You have figures, and I have not.

Q. Have any bonuses been voted by your directors?—A. To whom?

Q. To anybody?—A. No.

By Mr. McCarthy:

Q. You have given prizes?—A. I do not know what he means. Does he mean dividends in the company?

By Mr. Raney:

Q. What is the number of prizes issued by your company each year? How many issued in 1909?—A. That is a very difficult thing to say.

Q. Is any account kept of that?—A. There is an account, I suppose, but you could not tell.

Q. You could tell by reference?—A. I could tell some figures.

Q. Can you approximate now?—A. I cannot tell.

Q. Would it run into thousands?—A. No.

Q. Into hundreds?—A. It would run into hundreds, it is a big field, you know.

Q. I asked if you would be good enough to give me figures showing the comparative number of American and Canadian bred horses that have entered at your races?—A. Yes, you asked, and this letter came down last night, and being very anxious to give you the information, I tried but I found it was a big task, far bigger than I could accomplish in the time at my disposal. I attempted to do so in 1909, and I found the number of entries numerous—1,500.

Q. That is the total number of entries?—A. I do not give that as an actual fact but in round figures, taking only seven days, I found that there was some 700 odd, and I naturally thought there would be twice or nearly twice that number in thirteen days, but there were no means in the time at my disposal to answer your question, which I would be very happy to do before the inquiry is finished.

Q. You are not in a position to do that now?—A. It is a big job. I may say I was amazed to find what a great number of Canadian-bred and Canadian-owned horses there were. There were really more than I had any idea of.

Q. What I asked the secretary to furnish was a statement covering say four periods of five years, going back to 1894, twenty years, giving us the entries, the total number of entries, the total number of Canadian-bred horses and the total number of American-bred horses, and similarly the American-owned and Canadian-owned horses.

By Mr. McCarthy:

What a task would that be?—A. Quite a big task.

Q. It is not available in tabulated form?—A. No, I have got to go through the books.

Mr. McCARTHY.—Does Mr. Raney think twenty years is necessary?

By Mr. McCarthy:

Q. How long have you been secretary of the Ontario Jockey Club?—A. Since 1898.

Q. That is for 12 years?—A. 13.

Q. How long is it since the Ontario Jockey Club was founded?—A. Thirty years ago.

Q. Who were the people who founded it?—A. Sir Casimir Gzowski, the first president; Mr. T. C. Pattison, the late Mr. William Hendrie, Dr. Andrew Smith and a number of very prominent people in Toronto at that time.

Q. Are you aware of what the purpose of the formation of the Jockey Club was?—A. The improvement of the breed of horses.

Q. Who was the leading spirit in the formation of the Ontario Jockey Club?—A. Principally and most actively, the late Mr. T. C. Pattison.

Q. Who was at that time a prominent citizen in Toronto, who had come from England, and who was undoubtedly interested in horse racing, but with no attachment. He did not own race horses?—A. Purely for the love of the thing.

Q. He was at that time, I think, editor of the *Mail* newspaper, and some years ago became postmaster of Toronto?—A. That I do not know.

Q. Do you produce or can you give me a list of the shareholders of the Ontario Jockey Club?—A. Yes.

Mr. McCARTHY puts in list and reads: D. W. Alexander, 1; W. S. Andrews, 1; A. W. Ballantyne, 1; Robert Bond, 1; W. G. Blackstock, 1; James Carruthers, 1; R. J. Christie, 1; Robert Davies, 2; G. T. Davies, 1; Norman Davies, 1; R. W. Davies, 1; A. E. Dymont, 1; J. J. Dixon, 3; J. V. Foy, 1; F. C. Foy, 1; A. E. Gooderham, 1; G. H. Gooderham, 1; A. E. Gooderham, jr., 1; W. G. Gooderham, 1; G. E. Gooderham, 1; F. H. Gooderham, 1; M. R. Gooderham, 1; N. R. Gooderham, 1; J. Hargraft, 1; G. M. Hendrie, 1; J. S. Hendrie, 1; Major William Hendrie, 5; Wm. Hendrie Estate, 2;

APPENDIX No. 6

Mary M. Hendrie, J. S. Hendrie, William Hendrie, 25; Sidney Jones, 1; Hon. M. L. Jones, 1; N. Kingsmill, K.C., 1; W. S. Lee Estate, 1; A. W. Mackenzie Estate, 2; J. B. Macdonald, 1; C. T. Mead, 1; Charles Millar, 1; G. G. Mitchell, 1; Dr. E. Mortin, 1; Sir William Mulock, 2; W. P. Murray, 1; Robert Miles, 1; L. L. McMur-ray, 1; W. D. McIntosh, 1; E. B. Osler, M.P., 2; Hugh Paton, 1; T. C. Pattison Estate, 1; J. C. Palmer, 1; Chris. Robinson Estate, 1; Dr. J. F. W. Ross, 1; Dr. A. Smith, 4; Dr. King Smith, 1; R. A. Smith, 1; Joseph E. Seagram, 6; E. F. Seagram, 1; George W. Torrance, 1; W. R. Wadsworth, 1.

Q. In all 100 shares?—A. 100 shares.

Q. That is subscribed stock, fully paid up, the shares being \$100 each?—A. Yes.

Q. That shows that no one shareholder had a controlling interest?—A. No.

Q. And that the stock is all held in the names of the people as I have read?—A.

As you have read.

Q. Now, what has been the main attempt on the part of the Ontario Jockey Club, speaking from your knowledge?—A. The club from its formation has laboured, and laboured very hard, to make the Ontario Jockey Club both a highly social and sporting concern.

Q. You are an Englishman?—A. I am.

Q. You came here from England?—A. Yes.

Q. Were you interested in horses before you came here?—A. Yes, fond of them.

Q. As well as being your business, it is likewise a hobby?—A. Yes.

Q. Have you knowledge of the great races in England?—A. Yes.

Q. Tell me what you found there as to the patronage extended to the various race meetings?—A. It was the custom of Queen Victoria to attend Ascot in state. She also attended the Derby.

Q. Just stop there. She attended those races in state. Did she encourage racing in any other way?—A. She maintained a breeding stud at Hampton Court, the yearlings of which were sold at public auction.

Q. Has the present King followed her example?—A. Yes.

Q. In respect to attending those races in state?—A. Yes.

Q. Has he gone any further with reference to the maintenance of a stud?—A. He has a breeding stud.

Q. And races his horses?—A. And races his horses.

Q. And won the Derby last year, I think?—A. Yes.

Q. Now, I speak of that as leading up to this. Is it your desire, speaking as the representative of the Ontario Jockey Club, to model the Woodbine meet on those races in England?—A. That has always been the intention of the directors.

Q. Now, looking at the social state, in what way have you endeavoured to follow the English example?—A. Going back a great many years, the directors saw Lord Lorne and asked him to come to the Woodbine with the Princess Louise, which he gladly consented to do.

Q. And has that example of the Marquis of Lorne been followed by Lord Lansdowne, Lord Derby, Lord Minto and the present Governor General?—A. It has.

Q. Then the various Governors General and party have attended in state, in a way, at the Woodbine track?—A. Yes, for years past.

Q. And that has been done following the example of the monarchs of England?—A. That is the precedent.

Q. Have the Lieutenant Governors of Ontario done the same thing?—A. Always.

Q. And have you in that race succeeded in working up what you think a social event at the Woodbine meet?—A. That has been our aim.

Q. Do you consider that you have succeeded?—A. Yes.

Q. Now it may be said that a social event is all right but what relation has a social event got with horse racing and horse breeding. Will you explain to the committee?—A. If you do not put racing on a high plane and bring the very best people there to patronize the races you would leave it open to abuses and racing would not

1-2 GEORGE V., A. 1911

have the attraction that it would otherwise have, the attendance would be nothing like as large and you would not be able to give the purses to encourage the breeding of horses and the importers of horses as you have been doing.

Q. So making it a social event largely increases your attendances which largely increases your gate receipts?—A. Yes, that is borne out by our statements.

Q. And increasing the social importance of it and thereby increasing the gate receipts enables you also to increase the size of your purses?—A. Yes.

Q. And the increase of the size of your purses attracts a better class of horses and is an enticement to the breeder to try to breed a better class of horses to win that purse?—A. Yes.

Q. Now do you know of your knowledge whether the result of your efforts has been successful?—A. Yes.

Q. You do know that?—A. Yes.

Q. And that the horse breeders of Ontario have by reason of your races been enticed or as a result of your work have at all events imported a better breed of horses than existed before?—A. They have been greatly encouraged.

Q. Who are the men who have indulged in that encouragement?—A. A number. Mr. Seagram who, as you know, conducts a very large stud, the late Mr. Hendrie, now carried on by his estate, Mr. Cook, Mr. Dymont, who has a very large stud, Mr. Giddings of Oakville, Mr. Cook of Morrisville, Mr. Orpen, who was one of your witnesses last week, has also been an importer, Mr. Powell of Woodstock.

Q. And Mr. Adam Beck?—A. Yes, and Mr. Adam Beck of London. Then there is Mr. Haines of Owen Sound and Mr. McKenzie.

Q. Now how do the imported horses in Canada compare to-day with what they were 15 years ago?—A. I think there is no comparison.

Q. In what way do you mean no comparison?—A. No comparison in individuality and no comparison in the class of races which take place.

Q. Have you had the means of ascertaining whether the localities in which those various studs are placed or where the horses are kept that are imported, whether in that particular locality the breed of horse has been improved?—A. Yes, I think that is unquestionable.

Q. Now what particular counties would you have regard to in that respect?—A. Principally perhaps Peel stands out. That was well established last week. Then you have Middlesex and Oxford both very strong.

Q. Oxford being the locality in which Mr. Pattison was?—A. And where Mr. Shelton followed it many years.

Q. Yes, any others?—A. Waterloo county, Wellington county, Welland now called, Wentworth, Elgin, Simcoe and a number of other counties if you sit down to figure it out.

Q. Then do you think that those horses would have been imported for the racing operated and commenced by your club?—A. I do not think they would.

Q. Does your club endeavour to encourage horse breeding in other directions?—A. Yes.

Q. In what way does it?—A. We gave annual prizes at the Industrial Exhibition at Toronto and at horse shows for sires best calculated to get light horses for army purposes.

Q. How much money do you spend in that way?—A. About \$1,500.

Q. A year?—A. Yes.

Q. And that is distributed for the purpose of encouraging the breeding of light horses?—A. Yes, and a stallion competition which we give and which has been distributed throughout Ontario at Tilsonburg, Dundalk and other places in amounts of \$250, \$200, \$175, \$150, \$100, \$75 and \$50.

Q. Mr. Raney was asking you about Canadian bred horses and American bred horses. What are the principle feature races at the Woodbine?—A. The King's Plate.

Q. That is one of the largest purses given?—A. One of the largest.

APPENDIX No. 6

Q. That is open only to Canadian bred?—A. Only to horses bred in the province of Ontario.

Q. The other is the Toronto Cup?—A. The Toronto Cup is one, the Woodstock plate is another.

Q. Are they won as often by Canadian horses as by American horses?—A. The King's Plate is always won by a province bred horse. The Toronto cup has been frequently won by a Canadian horse.

Q. It seems to me that in the last six years the Toronto Cup has been won as often by a Canadian horse as by an American?—A. I have not got the list, I could let you know.

Q. I think they won it four or five times out of the six. I am speaking of Canadian horses. Four Hundred won it two years, Otago won it two years, Inferno won it two years, last year it was King James?—A. Yes, one of the best horses in America.

Q. And it was necessary to bring the best horse from America to wrest it from Canadian stock?—A. You must have the best horse.

Q. Did you handicap it as to weight?—A. There is an allowance of seven pounds to all horses foaled in Canada up to three years old, up to and including three years old, and five pounds for four years old, and upwards when competing with foreign bred horses.

Q. Which includes American bred horses, is that correct?—A. Yes.

Q. What was the value of the King's Plate in 1890?—A. \$100, plus \$250 from the Queen.

Q. What was the value in 1909?—A. \$4,350 added to the stake of \$35.

Q. Some complaint has been made with reference to the short racing and the long racing. Are you able to tell me, taking the last meet in 1909, how the long races and the short races compared?—A. Taking 1909, and there I may remark that the races have not been lengthened over 1903 or the previous years—taking 1909 in the spring where our spring is rather late and the horses are backward, and therefore cannot go as far or as fast as they do later in the year, of a total of 78 races I find 46 were at a distance of a mile and over; in the autumn of a total of 42, 28 were at a distance of a mile and over with no races of a less distance than three quarters of a mile.

Q. We have already evidence that nothing over a mile is considered a long race. Now are you also encouraging a greater distances longer racing? — A. Yes, we have races independent of the steeplechases which are up to three miles. We have many races of one and a quarter miles and a mile and three quarters and races at two and a quarter miles.

Q. I suppose it is necessary to have some short races?—A. You cannot get two year olds to go over five furlongs at most in the spring of the year.

Q. You did have long races?—A. Yes.

Q. How does Canada stand with reference to records for long races, two and a quarter miles and two and one-sixteenth?—A. The American record for the two and one-sixteenth miles is held by Wawhoop which was bred in Oakville, Ontario, by Mr. Giddings.

Q. And owned by?—A. Roderick and A. W. McKenzie.

Q. What of the mile and a quarter record?—A. Inferno holds the Canadian record at that distance with 117 pounds, bred by Mr. Seagram at Waterloo.

Q. Who holds the record for two and a quarter miles?—A. A mare bred by the late Mr. Hendrie, Helpie.

Q. Now you have told my learned friend that the bookmakers and the betting are entirely under your control?—A. Yes.

Q. You have every opportunity of observing what has been going on during the past 13 years?—A. Yes.

Q. What have you got to say as to the order of the crowd or any evils in connection therewith?—A. I can only tell you what various distinguished visitors from

England have said from time to time. We have had many in my time as secretary of the Ontario Jockey Club, and one of the features has always been that they wanted to see how the betting was done in Ontario. There were most delighted and only wished the same condition of things might exist on the English race courses which existed on the Canadian race courses.

Q. Have you observed any disorder?—A. None. We would not stand it.

Q. And you and your officers are responsible for the order and you use every endeavour to keep order and you do keep order?—A. Yes.

Q. You put in certain statements with reference to the financial situation. You show by those statements that up to 1905 or during the years 1904 and 1905 you made a loss, and in 1906 the statements show that you made a profit?—A. Yes.

Q. And for the succeeding years, 1907, 1908 and 1909 you also continued to make a profit?—A. Yes.

Q. And piled up a surplus?—A. Yes.

Q. Amounting to about \$337,000?—A. Yes.

Q. Does your chairman at the annual meeting give an address or explanation to the shareholders of the financial situation?—A. He always deals with the business of the year and comments on it with the idea of explaining the situation thoroughly to the shareholders.

Q. Did he do so in 1908 and 1909?—A. He has done so every year, but in 1908 and 1909, especially so, the surplus then being larger.

Q. Is this what President Mr. Seagram said to the shareholders at the meeting on 19th November, 1908:—

‘The statement of the affairs of the club for the past year which I will ask the secretary to read to you in detail will show matters in a flourishing condition. We were once more very fortunate to have as the guests of the club His Excellency the Governor General, Lady Grey and Staff, at the spring meeting. It is not necessary for me to again mention the great kindness we have received from Lord Grey and his family, the presence of whom tends so greatly to preserve the social character of our race meetings. We were also very lucky to enjoy good weather both in the spring and in the fall so that even in a dull year, which we know the present to have been in many quarters, our gate receipts show an increase. Our privileges however as compared with former years, are somewhat curtailed. Purses have been still further increased and now amount to the very considerable figure of \$108,000 for 1908. Expenses have also increased. Our list of officials is a somewhat extensive one. My colleagues and myself have taken pains to place in the various positions the very best men obtainable, needless to say in some cases high salaried men. We have also in our employ a number of men who have been with us for many years who as old servants are worth more to us in positions which demand responsible men. Our aim has been to keep our meetings at a high state of efficiency and the increased attendance both in the members and public enclosures are I think proof that our efforts are appreciated. You will also be informed that we have added to our real estate by the purchase of additional property in Scarborough, 42 acres on the western side of Kennedy Road, our other property 104 acres lying just across the eastern side. The 42 acres is being fenced and on it has been laid out a steeplechase course for schooling purposes. In the liabilities of the club there still remains a mortgage of \$100,000 against the Woodbine property and \$5,000 against the 42 acres in Scarborough. The latter will be paid off at the end of six months. The total mortgages are however secured by suitable investments. One word more. It may possibly occur to some of our shareholders that they should receive a greater return than the ten per cent dividend now paid annually on the capital stock \$10,000. To this I would say that our strength is greater not only in Canada but among racing associations on this continent from the fact that we have not regarded the Ontario Jockey Club as a money making concern but have put our earnings into providing additional comfort for the public, increased stabling accommodation with purses which now average \$5,400 per day. If racing is to be allowed to continue, which we all trust it may, we should look forward to build up

APPENDIX No. 6

a reserve fund to place a well equipped public stand at Woodbine. This is much needed and could we but feel assured of our racing position my colleagues and myself would lose no time in carrying this out.' Is that a correct statement of what Mr. Seagram said at that meeting?—A. In 1908.

By Mr. Blain:

Q. May I ask what is the explanation of that clause where he says our privileges of late years have been very much curtailed?

Mr. McCARTHY.—The explanation is that the betting privileges by reason of a prosecution which took place in the police court of Toronto, had dropped from \$86,000 in 1906 to \$53,000 in 1908.

Mr. McCARTHY.—I will also put in Mr. Seagram's speech in 1909.

By Mr. McCarthy:

Q. Now if the directors had not felt themselves bound or tied, as is suggested by Mr. Seagram, what would have been their policy with reference to the surplus?—A. The whole plant of Woodbine would have been renovated.

Q. Up to 1906 you had been putting all your earnings into plant, practically?—A. Yes.

Q. And when this uncertainty came about you then began to build up a surplus?—A. Yes.

Q. Which surplus if the matter is made certain will be put into plant for the complete facilities of the people attending those races?—A. Yes, and more.

Q. Then apparently you have some idea that you may have to remove your track from where it is and you have spent considerable money in securing a farm at Scarborough on which to erect a new track in that event?—A. Yes.

Q. Mr. Raney asked you what the value was of the land at the Woodbine. You said you did not know. Supposing the land were sold it would be sold as building lots?—A. It would be sold as building lots.

Q. Would there be any value on the building lots?—A. None, so to speak.

Q. That includes the grand stand?—A. And four hundred stables.

Q. Then it is somewhat difficult to value because under one method of valuation you would have to value it as a going concern and under another method as a bad concern?—A. Yes.

Q. It has been said or suggested that the betting privileges are necessary to sustain the Woodbine on its present standard of success, is that correct?—A. Yes.

Q. I ask you to look at that statement and tell me whether that is correct. It is a statement prepared by Mr. Andrews showing that without the revenue from the betting privileges for the six years it would have been \$115,950. Is that a correct statement? — A. Absolutely.

By Mr. Raney:

Q. Does that revenue cover the revenue from the sale of telegraphic information?—A. No.

By Mr. McCarthy:

Q. At the outside that would be \$18,000. What have you to say if the betting privileges were taken away entirely, if this Bill passed and betting was done away with on the Woodbine track, what do you think would be the effect of it?—A. If betting were done away with at the Woodbine?

Mr. RANEY.—Say bookmaking, please.

WITNESS.—Mr. McCarthy asked me about betting.

By Mr. McCarthy:

Q. Betting with the bookmaker?—A. It would so materially decrease our receipts that we could not give the inducements which we now do to owners to come and race their horses.

By Mr. Stratton:

Q. Do you mean in the attendance or total receipts?—A. I mean attendance.

By Mr. McCarthy:

Q. You will first lose the betting privilege?—A. It would so reduce our receipts in the total, yes.

Q. And that total is made up first from the receipts from the betting privileges and secondly from the attendance?—A. Through the gates, yes.

Q. Why do you say that. Upon what do you base that opinion?—A. Because the majority of people who go to the Woodbine go there prepared to enjoy themselves and to speculate in a limited fashion.

Q. Has there not been experience elsewhere from which you can speak positively?—A. Yes.

Q. Where has that been?—A. In the state of New York, on the Metropolitan tracks.

Q. Have you prepared a statement showing the attendances during the years 1905, 1906, 1907, 1908 and 1909, on the respective tracks which you describe as the Metropolitan tracks?—A. I have.

Q. Is that the statement?

Mr. RANEY.—What is this?

Mr. MCCARTHY.—A statement of attendance at various tracks.

Mr. RANEY.—Where does it come from?

Mr. MCCARTHY.—The Jockey Club, New York.

By Mr. McCarthy:

Q. This was prepared in your office?—A. In my office.

Q. From the figures furnished by the New York Jockey Club?—A. Yes, with the New York Jockey Club's instructions through the chairman. It shows that since the Hart-Agnew law came into effect the receipts have been reduced by three-quarters.

Q. It says that in the year 1907, the total attendance at the Brooklyn Jockey Club meet was 239,000 people, in 1908 it was 145,000, and in 1909, 27,000.—A. That is Coney Island in 1907 the attendance was 361,266; in 1908, 43,794, and in 1909, 40,608.

By Mr. Monk:

Q. What reason have you for saying that that data is reliable?—A. I have received them from the Jockey Club of New York.

Q. Does that club control the Metropolitan race tracks?—A. No, only in the same sense as the Canadian Racing Association controls several Canadian tracks.

Q. They get those statistics and they are furnished to you in the regular course?—A. Yes.

By Mr. McCarthy:

Q. If the committee are not satisfied we will ask you to subpoena the man who gives this information, who speaks by the books. Following out what I have said the attendance on the Westchester track in 1907 was 205,03.; in 1908, 165,069; in 1909,; 22,413. Those are spring meets. In the fall meets of the same years, in 1907, it was 104,000, in 1908, 4,000, and in 1909 16,000. The Brooklyn Jockey Club fall meet attendances during those years were in 1907, 133,000; in 1908, 88,000; in 1909, 22,000. The Coney Island attendances at the fall meets were in 1907, 188,000; in 1908, 9,553, and in 1909, 35,220. That is the falling off since the Hart-Agnew law was brought into force.

By Mr. Raney:

Q. I understood you to say that the policy of your club was to take care to have its meet under distinguished patronage?—A. Yes.

APPENDIX No. 6

Q. Of course that was obtained in a business-like way?—A. In a business-like way?

Q. Yes, providing for that necessity, as you regarded it?—A. I cannot tell you other than that it was deemed necessary to have the highest people in the land.

Q. And steps were taken to get them? — A. Thy were asked to come and they came.

Q. And they were brought there without expense to themselves?—A. They were brought there without expense to themselves.

Q. And taken home again?—A. What do you mean by without expense to themselves?

Q. Their expenses being borne going and coming and whilst they were there?—A. That is our own business.

Q. Did the club bear the expense of those distinguished visitors whilst they were the guests of the club?—A. I could not say that.

Q. Your books would show that?—A. No, you could not see anything about expenses going back to the time of the Marquis of Lorne and Princess Louise.

Q. Is there an appropriation for the purpose of providing distinguished patronage for those races?—A. No.

Q. Is money appropriated for it each year?—A. You understand, Mr. Raney—

Q. Answer my question?—A. You understand perfectly that if you have anybody staying as your guest you do your best to take care of that guest, and that is the only way the guests of the Ontario Jockey Club have been taken care of.

Q. I am trying to find out whether there is an appropriation for the purpose of getting distinguished patronage, whether it be this person or that person? —A. There is no appropriation.

Q. Is money spent for that purpose?—A. Money is spent to take care of guests of the Ontario Club.

By Mr. Stratton:

Q. There is an increased expense to the association according to the visitors?

By Mr. McColl:

Q. That depends upon who happens to come, I suppose?—A. They may come from Ontario.

By Mr. Raney:

Q. When will you be able to supply this statement about the advance information? —A. On reference to my books next week.

Q. What is the name of the party to whom you sell the information?—A. In 1909 the Inter-State News Company.

Q. I understand that your association does not permit persons who act as trainers on what are called, I think, outlawed tracks to act as trainers on your tracks?—A. There are no outlawed tracks.

Q. Take the Metropolitan track, for instance. Is it so that horsemen who enter their horses at the Metropolitan track and ride there, and the trainers who train there are all outlawed from your association tracks?—A. Trainers and jockeys, who trained and raced at the Metropolitan tracks in 1908, raced and trained in the spring of 1909 at the Ontario Jockey Club.

Q. Is it so that there is any rule barring trainers and horsemen and jockeys who frequent and enter at the Metropolitan track from the Ontario Jockey Club?—A. No absolute rule. You are speaking to me as secretary of the Canadian Racing Association.

Q. I am speaking to you from your own knowledge?—A. The committee of the Canadian Racing Association licenses trainers and jockeys.

Q. And do they refuse to license those trainers I have spoken of?—A. They might withhold a license from persons who race there.

Q. Is that the policy?—A. A general policy, yes.

Q. Now, as to the present state of the law. I think you regard it as unsatisfactory?—A. Yes.

Q. You think it ought to be amended so as to make betting on the race track clearly legal?—A. It is legal; there never was any doubt about it.

Q. Whether he moves about or stands still?—A. It is legal.

Q. Then, in what respect is the present law unsatisfactory?—A. In this respect, that it allows the meets of the Ontario Jockey Club to be molested year after year.

Q. Under what pretext?—A. That it is illegal.

Q. You think it is absolutely legal whether the bookmaker walks about or stands still?—A. I know that that was Sir John Thompson's intention to make it so.

Q. What is the reason of the policy of the Canadian Racing Association for withholding licenses from trainers and jockeys who are trainers and jockeys at the Metropolitan?—A. The Metropolitan Association meet is held on a half mile track. Half mile tracks are not held by the Canadian Association to be safe or in the interest of racing.

Q. Why should that be allowed to bar jockeys and trainers who frequent the Metropolitan?—A. Because they do not want running meets on half mile tracks.

Q. That is the sole reason?—A. That is the reason.

By Mr. Blain:

Q. Does that apply to any other track in Ontario?—A. They don't have any races on half mile tracks in Ontario, save on the Metropolitan track.

Q. I notice on your statement of the profit and loss that the total receipts for six years from betting privileges was \$361,232?—A. Those are the figures.

Q. And you show at present an actual surplus of \$337,846?—A. Yes.

Q. So that your present surplus is altogether built up on the receipts from the betting privilege. If you had not had the betting privilege to sell you would not have had the present surplus?—A. We would have \$115,920.

Q. You are not understanding me. The present surplus is altogether made up of the receipts during those six years from the betting privileges?—A. No; that is not the way to put it at all. If you ask me for the receipts for the betting privilege for the six years you have got them.

By Mr. McCarthy:

Q. About the Inter-State News Company, what receipts you got therefrom you say is about \$3,000. It is \$2,981, I see. If you did not grant the privilege under the present state of the law, what would they have done?—A. That has been well considered. I am told that they could have rented a number of houses which overlooked our race course and put in their wires and got that information; they told me they would do that.

Q. So, if you did not exact this fee and give them this privilege they would get outside of your track and would be able to report the information which they get on the track just the same?—A. Yes.

Q. And they told you they would do that if they did not get that privilege?—

By the Chairman:

Q. Could they get any house overlooking the track?—A. Yes, for many years a friend of mine saw all the races from one of those houses.

By Mr. Raney:

Q. Mr. Orpen said that one reason why he ceased to go to the Woodbine was that he could not see the odds even with his field glasses?—A. That is a very different thing, the odds being a little thing, not bigger than my hand.

APPENDIX No. 6

By the Chairman:

Q. Will you describe shortly the system of handicapping which prevails on the race track?—A. There is a number of entries received for a race. One horse in it may have won a great number of races, being especially good for that distance, another horse may have won nothing. It is not fair to ask those two horses to meet with even weights. Therefore, the weight is so adjusted on the scales, reduced say from 126 pounds to 90 pounds in the hope of giving the horse which has not won any race a chance to compete with the other horse.

Q. It is to even up the chances at the winning post?—A. Yes.

Q. One word as to the Pari Mutuel system. Many persons have stated that there ought to be no betting through the bookmakers and that the Pari Mutuel system ought to be permitted. Would you give us your views as to that?—A. There are many things to be said in favour of the Pari Mutuel. Whether the parliament of Canada would sanction such a system, I have no knowledge of. I have brought down for the benefit of the committee some photographs brought from New Zealand showing the Pari Mutuel to be there a very extensive concern. The public of Canada might not consider a deduction such as has taken place in other countries on each race favourably. They get no such deduction from the bookmakers and in this country we are very practical people and we might not consider that percentage. If we were to get the same revenue or rather the same percentage from the Pari Mutuel in Canada as is received from it in other countries, we should be able then to do it to the exclusion of the book-maker and therefore increase our purses.

Q. You would get a larger revenue than you get now from the book-maker?—A. I think so, undoubtedly. Whether it would be as popular with the community, I could not tell you.

Q. From your knowledge of the Pari Mutuel, however, that knowledge might have been acquired, do you think it would increase or decrease betting as compared with the present system?—A. You mean to say if the Pari Mutuel and the book-maker were betting and receiving money side by side.

Q. I mean that supposing a law should be enacted that would prevent a book-maker from betting on the track but would permit the Pari Mutuel, under the new system the Pari Mutuel would there be more or less betting than there is now?—A. The facilities with the Pari Mutuel would be far greater.

By Mr. McCarthy:

Q. Do you mean more betting in money or a greater number of people betting?—A. I brought those photographs down. You will see that there is a machine installed at the various booths.

By the Chairman:

Q. Suppose a young man who has not been in the habit of betting on horse races at all goes on to a track, would there be any difference in the temptation presented him to bet as between the Pari Mutuel and the bookmaker?—A. I have read a very great deal on that question in copies of Hansard which have been issued by the legislative bodies of Australia and New Zealand. It is a very vexed question. Much evidence has been given on both sides and to be absolutely candid I should think there is a greater temptation for the reason that the facilities you will see are greater.

Q. When you say a greater temptation, you mean from the Pari Mutuel?—A. I do

By Mr. Monk:

Q. In Australia and New Zealand is the Pari Mutuel under the control of the government?—A. To some extent, yes. That is to say the government legalizes in Australia both betting and the Pari Mutuel. The race courses have undertaken at

1-2 GEORGE V., A. 1911

times to press the question before those parliaments to have the Pari Mutuel used to the exclusion of the bookmakers but that has never been successful. The racing associations have been rather in favour of the Pari Mutuel because they would be able to increase their prizes so much.

Q. Is the Pari Mutuel there under the control of the racing association because in France the Pari Mutuel is under the control of the government?—A. The racing association install the machines themselves and pay for them.

By the Chairman:

Q. And pay the percentage?—A. A percentage of ten per cent is deducted.

By Mr. Monk:

Q. In European countries where the Pari Mutuel exists it is under the control of the government?—A. In France, that is so.

Q. In France what do they do with the percentage that they derive from the working of the Pari Mutuel?—A. Five per cent, I am not absolutely sure about this of course, but I think it is pretty much this that five per cent is deducted for the association and two and a half per cent is deducted and given in various forms to purposes and two and a half per cent to the agricultural societies.

By Mr. McColl:

Q. Does the government or do the municipalities have the arranging of that percentage and distribution?—A. The French Government as I understand it.

The CHAIRMAN.—Perhaps the committee will permit me to read this paragraph taken from the Live Stock Journal, 1910 Almanac in an article entitled "French Government Studs": "The twenty, two Harras cost France about half a million sterling a year but £80,000, that is \$400,000 a year comes from the Pari Mutuel and this is devoted to the purchase of stallions either abroad or in the country and just as much good money is paid for home produced stallions as for those taken from England and elsewhere."

By Mr. Sinclair:

Q. When was it first decided by the courts that bookmaking was illegal when carried on in a place in Toronto, how long ago?

Mr. RANEY.—Perhaps I might answer that. That was the Saunders case in 1906, March 1906 I think.

By Mr. Sinclair:

Q. Since that time bookmaking has not been carried on in any particular place?—A. Previous to 1906 the betting was done in this way. Each bookmaker had a box or booth and attached to that box in the front of it was a large slate on which was a large card with the names of the horses, their weights and riders and they were in a particular place which was known in some instances as the ring. After March 1906 those boxes were got rid of and the bookmakers themselves came on the lawn and took up no special place.

Q. Did that lessen the amount of betting at the Woodbine after the change?—

A. I think so. There is no question about it that we realized that.

Q. Did it lessen your receipts?—A. Yes.

Q. You attribute it to that?—A. Yes, you heard Mr. Orpen's description the other day.

Q. Do you think it would lessen the attendance if the facilities were taken away?—A. Not the public attendance, the attendance of bookmakers. There was no such facility in 1906 as there was in 1905 for instance.

Q. The people still came to the races?—A. Oh, yes.

Q. In as large numbers as before?—A. And to still bet

APPENDIX No. 6

By Mr. McColl:

Q. Did not the change have the effect of increasing the number of bookmakers doing business from the fact that it required more to accommodate the public? It took many more men after the present system came into effect than under the old system?—A. You mean you would see many more books. I think so.

Q. So that while there would be twenty or thirty bookmakers under the old system they would do as much business and accommodate as many people as fifty or sixty working under the new system?—A. I think so.

By Mr. Monk:

Q. Could you as the law at present stands, carry on the Pari Mutuel system?—A. No, I think Mr. Raney will tell you that it is specially legislated against in the Criminal Code.

Mr. RANEY.—I would not think there would be any question about that.

By Mr. McColl:

Q. Would the time made in the different years by the horses in the King's Plate be any indication as to whether the thoroughbred was being improved or not?—A. It would all depend on the condition of the track.

Q. In recent years, as a matter of fact, much better time has been made?—A. Oh, yes.

By Mr. McCarthy:

Q. It has been brought down pretty nearly ten seconds?—A. Yes.

By Mr. McColl:

Q. As to attendance. What would be the record public attendance for one day when the King's Plate was run?—A. I should think that 12,000 is the outside figure.

Q. I am informed that at the Derby at Epsom there is sometimes half a million people?—A. It is not possible for anybody to estimate it. It is an enormous thing; the whole of London closes up on Derby Day.

Witness discharged.

The committee adjourned until three o'clock in the afternoon.

PRODUCTION.

Copy of Mr. Seagram's speech at the annual general meeting of shareholders of the Ontario Jockey Club held Thursday, November 25th, 1909.

We have again to thank their Excellencies the Governor General and Countess Grey for their kindness in attending the spring meeting, their presence being highly appreciated by the members, their friends and the public. The receipts have increased, which for the bad weather towards the end of the fall meeting would have possibly shown a larger total. Purses for this year amount to \$123,850 as against \$107,580 in 1908, or an increase of more than \$16,000, totalling over \$6,000 per day or \$1,000 per race. We may fairly claim then to have fulfilled to the utmost the ideals of the founders of this Club and if we are allowed a fair share of success in the future we hope still to add to the attractions for owners to race at meetings of the Ontario Jockey Club. And then we also feel in thus increasing the values of our races that we are encouraging the other jockey clubs and racing associations in Ontario and Quebec to assist us. This policy has been successful, for nearly a half a million dollars has been given by the five Canadian racing associations this past year. We have added to our real estate by the purchase of 102 acres additional land at Scarboro' adjoining our property there. A plan of the whole Scarboro' property has been prepared

1-2 GEORGE V., A. 1911

and is now laid upon the table for your perusal. Investments have also been increased so that the surplus on hand may possibly seem to be too large to some shareholders. We must bear this in mind, however, if we were able to make the necessary improvements to Woodbine Park which are demanded by the public, but which we have deemed it wise in the place of a certain section of public opinion to withhold, this surplus would be materially reduced, and then if we should have to move our race course from Woodbine Park to our Scarboro' property much more than the available cash on hand would be required to give the public a modern race course in every detail.

WEDNESDAY, January 26th, 1910.

The Committee resumed at three o'clock, Mr. H. H. Miller presiding.

Mr. MCCARTHY.—I have handed to Mr. Raney at his request a statement with reference to reporters' fees in regard to which he asked Mr. Fraser this morning. I desire to make this statement in reference to this matter. At the present time, as I understand it, the law does not prohibit the giving of this information by parties nor does it prevent parties telegraphing information where they may see fit. The fees were received by the Jockey Club under the circumstances described by Mr. Fraser this morning. We are not here opposing this Bill insofar as it prohibits hand-book betting of any kind or description on the track or in the poolrooms off the track. We are quite content that this Bill should prohibit the giving of this information or the accepting of fees for the giving thereof. We do not press to be allowed to carry on this business if the Committee thinks it ought to be stopped. I want that to be distinctly made plain. Then Mr. Raney asked me to give him a copy of our operating account for 1909. We had already given him all the items which he asked for in full, as to the money received for betting privileges for the bar or restaurant, gate receipts, amounts paid out in purses, and money paid out in dividends. This is an addition for one year which I give to him. With this production he has all the information which in my opinion he is entitled to. I do not wish to withhold anything. I do say that the business affairs of this club or association beyond the purview of this investigation should not be asked for, and I think that in asking for that he has asked for more than is covered by the purview of this committee.

Mr. MCCOLL.—Do I understand that you are willing to co-operate with the promoters of the Bill with the committee in abolishing all the evils, if any, that result from hand-book betting, the operations of poolrooms and the sending out of information by telegraph or otherwise?

Mr. MCCARTHY.—Absolutely. We do not hope to carry on hand-book betting, pools or giving of information to poolrooms.

Mr. MCCOLL.—All you wish to protect is—

Mr. MCCARTHY.—Is betting on the race track while the races are in operation.

Mr. W. P. FRASER, recalled:

By Mr. Raney:

Q. I see in your operating account for 1909 the item reporters, fees, \$2,981.50. That item I understand from what Mr McCarthy has said, and from the other memorandum you have given me, has reference to the sale of information for the poolrooms?—A. It has reference to the sale of information to the Inter State News Co.

Q. Then I see from your memorandum that the amount realized in 1905 was \$1,590?—A. It was 1904 that we commenced it, didn't we?

APPENDIX No. 6

Mr. McCARTHY.—In 1904 there was nothing of the kind.

By Mr. Raney:

Q. The items are in 1905, \$1,590; in 1906, \$4,750; in 1907, \$3,325; 1908, \$3,225?
—A. Yes.

Q. That is put in your operating account as reporters' fees?—A. Yes.

Q. Why is it put in that form?—A. That is exactly what it is.

Q. I notice that you have an item \$2,240, in your operating account for directors' fees. How many are there?—A. Eight.

Q. Then the item of \$17,425 for wages and salaries—are any wages and salaries paid to any directors?—A. No.

Mr. McCARTHY.—I will put both of those accounts in.

Witness discharged.

Mr. MEREDITH.—I would like to have the principal magistrates in the municipality in which the Blue Bonnets meet is held, but before I call them I would like to file this. It is a declaration by the mayor and councillors of the town in which the Montreal Jockey Club has its race course and its buildings it is very short. It is signed by these gentlemen before a witness, he is a notary public by the way, and he is also secretary of the municipality. It simply sets forth that the Montreal Jockey Club has its race course and buildings within the municipality.

The CHAIRMAN.—Will you not put it in?

Mr. MEREDITH.—It is to the effect that they wish to have the races continued in that municipality as formerly and as hitherto conducted.

The CHAIRMAN.—It may have been signed in the presence of a notary public but it is not taken before him as a notary. However, nobody will object to it, I think.

Mr. MEREDITH.—Those gentlemen are quite willing to come up and make this statement that no disorder has ever followed from our race meets either on the track or in the municipality. They make rather important statements.

SILAS H. CARPENTER, called, sworn and examined:

By Mr. Meredith:

Q. Would you mind telling the committee what your position is in Montreal?—
A. I am chief of the detectives in the city of Montreal.

Q. You are in the employ of the city of Montreal?—A. Yes.

Q. How long have you been connected with that?—A. Thirty years.

Q. As such do you and those under you attend so far as you can and see that order is kept at public meetings and gatherings in Montreal and vicinity?—A. I do.

Q. Have you any knowledge of the kind of people that are directors and members of the Montreal Jockey Club?—A. I have.

Q. Would you tell the committee what class so far as integrity is concerned, they are composed of?—A. They are amongst our most honourable and responsible citizens.

Q. Now you had occasion to attend the meets held by the Montreal Jockey Club?—A. Occasionally.

Q. Will you state to the committee how those meets have been conducted, the ones you have been at and even the ones you have not been personally at but which your attendants have been?—A. Those that I have attended have been well conducted. There has been no disorder and I have never heard any complaint from any person attending those meets during the last three years that we have had races in Montreal or its vicinity.

Q. In your opinion and from the information at your disposal as chief of the detective bureau have you any knowledge of any bad results through the Jockey Club?—A. I have not so far as our races are concerned in Montreal.

1-2 GEORGE V., A. 1911

Q. As to the race tracks elsewhere you have no personal knowledge?—A. I have no personal knowledge.

Q. Now assuming, which I believe to be the case, reading the statement in *Hansard*, that this Bill does not prevent, does not contemplate the prevention of betting between individuals on a race course, assuming that to be the case, do you see any difference between two individuals on a race track betting and between an individual and a bookmaker who is looked after by a jockey club. Is there any difference?—A. Personally, I do not think it would improve the situation.

Q. For them to do away with the bookmakers?—A. No.

Q. On the race track?—A. Yes.

Q. As a matter of fact under the present system if you bet with a bookmaker on the track you have to part with your cash have you not?—A. Yes.

Q. If the bookmaker is done away with and you want to bet you may bet verbally without parting with the cash for the moment?—A. I understand that to be so.

Q. And in your opinion the doing away with the bookmaker as long as the bookmaker is on a chartered track under the supervision of a jockey club, it would not improve matters?—A. I do not think it would.

By the Chairman:

Q. Your evidence would go to show that on the race tracks there have been respectable crowds and not a very great amount of disorder?—A. As to the respectability I can only judge by disorder and I never saw disorder.

Q. Have you any knowledge as to the volume of betting on the tracks?—A. I have not.

Q. As to what embezzlement or defalcations may have followed because of the betting?—A. Speaking of cases that have been reported to me in the district of Montreal since we have had a race meet at Blue Bonnets, I cannot call to mind—I looked over the records before coming here and I could not find one case.

Q. You have looked over all the court records?—A. Of persons we have had to deal with.

Q. Have you looked over all the court records?—A. You refer to other districts?

Q. Wasn't it Montreal you were speaking of?—A. I am speaking of Montreal.

Q. And how long is the Blue Bonnet meet?—A. Previous to three years ago, I might say we had practically no racing in Montreal for years.

Q. Then your experience would only reach back for three years?—A. And as I knew it years ago when the old Blue Bonnets track was in operation, I can recall no case that we had to deal with in the district of Montreal where a person went wrong through gambling on the race track.

Q. Might not there have been any case you had not to deal with yourself?—A. I do not think so, because I am familiar with most of the cases that have occurred there for years. I have known of cases where betting in pool rooms outside of the race course caused men to go wrong.

By Mr. Sinclair:

Q. Is there much betting in pool rooms?—A. There has been a good deal.

Q. Many prosecutions?—A. We have had cases.

Q. The law is sufficiently stringent is it not?—A. We have none now. We have no pool rooms in the city of Montreal now.

Q. You do not require any further legislation to suppress them?—A. No. We had a pool room, in fact we had two pool rooms in operation just outside of Montreal. Those municipalities have lately been annexed and they have been done away with.

Q. Do you say the law is pretty well enforced in regard to pool rooms in Montreal?—A. Yes, it is fairly well enforced.

By Mr. Monk:

Q. But outside of the strict limits of the city of Montreal there are or have been

APPENDIX No. 6

pool rooms?—A. I have just said that we had two pool rooms outside the city of Montreal but these municipalities have been recently annexed and since that time they have been abolished.

Q. Since the annexation?—A. Yes.

By Mr. Raney:

Q. Have you had a case of defalcation where a party pleaded guilty? I suppose you have had cases of that kind?—A. As the result of betting on races? No, we have had one case within the last three years of a man who said that his downfall was due to betting in a pool room outside of Montreal.

Q. Have you cases on your records where parties have been charged with defalcations and have pleaded guilty?—A. We have not many.

Q. Or convicted, evidence having been given?—A. Yes.

Q. Have you learned in those cases where the money went that was spent?—A. In most of those cases we have, if not all.

Q. Have you yourself ascertained from the parties?—A. I have.

Q. By personal interviews with them?—A. I have.

Q. How many years has the Blue Bonnets meet been in operation?—A. The present track about three years.

Q. How extensively does betting go on there, how many bookmakers have you at the meet?

Mr. MEREDITH.—I do not think Detective Carpenter can give us that information.

WITNESS.—I am not prepared to say how many bookmakers they have there.

By Mr. Raney:

Q. You have weeded pool rooms out?—A. Yes.

Q. You regard them as an unmitigated curse?—A. Well, they are not desirable.

Q. Can you distinguish or will you distinguish in your own way between betting in a pool room in Montreal on a race being run in Toronto say and betting on the Blue Bonnets track with a bookmaker?—A. I will only speak of the Blue Bonnets track because I am not familiar with the way bookmaking is controlled in Toronto. At Blue Bonnets they are controlled by the directors of the association, and I know they would not tolerate anything wrong.

Q. I know these honourable gentlemen would not tolerate anything that was illegal. Will you be good enough to answer this question: What do you mean when you say that the bookmakers are looked after by the Jockey Club?—A. They are under a restraint.

Q. What restraint?—A. Those people are responsible for their conduct.

Q. In what way?—A. Responsible to the patrons of the track.

Q. How are they responsible?—A. I do not suppose they want to bring themselves into disrepute with the club by the action of any person who has obtained a privilege on the track.

Q. I want to know in what way the bookmakers are looked after by the Jockey Club?—A. The Jockey Club has special officers there to look after them.

Q. To what purpose?—A. Well, to see that they deal fairly by the people.

Q. Who are those officers, are they your officers?—A. Some are my officers.

Q. Employed for that purpose?—A. Special officers employed for that purpose.

Q. And paid by the Jockey Club?—A. Yes.

Q. If a bookmaker defaults, does the Jockey Club make good?

Mr. MEREDITH.—A bookmaker has never defaulted on our track.

WITNESS.—Perhaps the best answer I could give is this: I have never had any complaints from any person who has been defrauded or unjustly treated.

Q. And that is the reason you say the Jockey Club looks after the bookmakers?—A. Yes; one of the reasons.

1-2 GEORGE V., A. 1911

Q. We had Mr. Orpen as a witness. I think you had experience of Mr. Orpen in Montreal?—A. No.

Q. Did he not keep a pool room in Montreal?—A. He might have had something to do with it. I do not know Mr. Orpen personally.

Q. You understood he was a bookmaker?—A. I understood he had something to do with it.

Mr. Orpen is a wealthy gentleman, and entirely responsible and able to pay his bets to make good his books. Tell me in what respect the man who went to Mr. Orpen's pool room to bet with Mr. Orpen would be in a worse position than one who went to the Blue Bonnets and betted with a bookmaker on the track?—A. The only answer I can give to that or an answer that might suffice is this, that while I have heard a number of complaints from pool rooms in operation around Montreal, I have never had one complaint from any person who has attended the meets at Blue Bonnets during the last three years.

Q. No complaints from persons who went to pool rooms and could not get their money?—A. I said they never had complaints, and if there had been such cases I would have heard of them.

Q. Would you say that the pool room and Blue Bonnets are on a basis?—A. I would not say that.

Mr. MEREDITH.—Mr. Raney must understand what the witness says. The witness says that he has had complaints in regard to pool rooms off the track, but he has not had complaints by anybody as to the bookmakers on the track.

By Mr. Raney:

Q. I will ask the witness. Do you say you did have complaints from frequenters of pool rooms that their bets were not paid by the pool rooms?—A. I have some, yes.

Q. How many?—A. I could not say how many off-hand.

By Mr. Meredith:

Q. But you have never had complaints by anybody attending Blue Bonnets race course?—A. I never had.

Witness discharged.

Colonel H. J. GRASSETT, called, sworn and examined:

By Mr. Moss:

Q. You are acquainted with the position of the members and directors of the Ontario Jockey Club in a general way?—A. I know the directors by repute, many of them personally, and I have met them on the race course.

Q. You have attended the race course frequently?—A. I have.

Q. And what do you find is the conduct of the meets there?—A. They have been conducted in a thoroughly reputable manner. The Jockey Club officials have secured a sufficient force of police to preserve order and to check undesirable characters and to suppress anything in the shape of pocket picking, touting and anything that would be under the Vagrant Act.

Q. And how does the orderliness of the crowd there compare with the orderliness of other large gatherings such as the exhibition and similar things?—A. I should put them on a par.

By Mr. Monk:

Q. Have you ever had complaints of men being fleeced or losing large sums of money at the Woodbine meets?—A. No, I have not, that I can recall.

Q. Or any system of fleecing prevailing there through betting?—A. No, sir.

Q. Never?—A. No.

Q. How long have you been chief of police?—A. 23 years.

APPENDIX No. 6

By Mr. Raney:

Q. I suppose you will agree with what nearly all the witnesses have said that the present law is not satisfactory from the point of view of the police officer?—A. Eminently unsatisfactory.

Q. How many men have you?—A. A total force of 432.

Q. Including a number of detectives? How many?—A. About 20.

Q. And your work is largely executive, of course?—A. Yes.

Q. You do not sit in the police court?—A. I do not.

Q. And instances connected with individual cases do not come before you unless you ask for a report?—A. I am not so familiar as some of my subordinate officials.

Q. Now I suppose you regard the pool room as a great evil?—A. I do.

Q. And the police in Toronto have been assiduous in trying to exterminate the pool rooms?—A. They have succeeded in suppressing them.

Q. Altogether in Toronto?—A. Yes.

Q. I think you will recall that Mr. Orpen had a pool room in Toronto?—A. Toronto Junction.

Q. First at Toronto. That was closed by the police?—A. Yes.

Q. Then he went to Port Credit, in his county?—A. I think he did.

Q. And that was closed, and then he went to Halton county afterwards, and then you would know he went to Montreal?—A. I could not say.

Q. At all events he came back and located at Toronto Junction?—A. Yes.

Q. And after a term of years that was closed there?—A. Yes.

Q. That was some years ago?—A. That was some years ago.

Q. And since then they have no pool rooms in Toronto?—A. There are none.

Q. There have been a good many hand-book men I believe?—A. Quite a number.

Q. And your officers have a great deal of trouble with them now, or have had during the last few months?—A. We have followed them up as closely as we could.

Q. Who are the officers who would know most about that work?—A. The detective officers.

Q. Who are they?—A. Detective Inspector Duncan is the officer in charge.

Q. And I understand that Inspector Archibald is closely in touch?—A. He is the prosecuting officer in the police court and he would naturally be familiar with the proceedings there.

Q. And so Inspector Archibald and Detective Inspector Duncan would have a knowledge of practically all those cases?—A. Undoubtedly.

Q. The officers of your force were formerly employed I think by the Ontario Jockey Club at the meets?—A. Until 1909 they were.

Q. When the police commissioners took action. In what direction?—A. They decided to furnish police service without charge.

Q. The Jockey Club had been paying the officers, all your officers that went on duty, and after the late ordinance that has not been the case and the commissioners forbade the officers to take service with the Jockey Club.

By Mr. Moss:

Q. That was a general ordinance, was it not?—A. They gave instructions that all public functions including races, should be policed without charge. They considered that the city of Toronto was big enough and rich enough to afford protection for all its citizens whether or not they were gathered together.

Q. And the officers were forbidden to take remuneration from any of those sources?—A. We never take remuneration for any police service rendered.

Q. Do you know that the Jockey Club imports each day a force of Pinkerton men?—A. I have heard they have done so on some occasions.

Q. You would not, of course, know the details?—A. No.

Q. And is it so that at the beginning of every meet at the Woodbine there is around a large number of undesirables who come to Toronto under the Vagrants

Act, and that those men are kept in confinement until after the races are over and then perhaps after two or three hours in jail are allowed to go?—A. We take the precautionary measure of arresting all persons that we believe to be crooked if they strike Toronto at any time, particularly when large gatherings of people are expected, including the Woodbine races, Toronto exhibition and other assemblages of people.

Q. Inspector Archibald and Detective Inspector Duncan would know the details?—A. I do not know that Inspector Archibald would know the details of a case where a man was arrested who did not appear in court. I do not know any reason why he should.

Q. Would Inspector Duncan?—A. Inspector Duncan would certainly.

By Mr. Moss:

Q. When you are arresting the crooks in that way you take care that at those public gatherings such as the exhibition and the races and others the public are protected?—A. As a matter of police duty.

By Mr. Blain:

Q. You did not explain wherein the law was unsatisfactory at the present time?—A. The betting law?

Q. Yes.—A. To establish a case of illegal betting police officers have to show that the man taking a bet was stationary and it is not a very pleasant part of police duty to be following the people about to see whether they are making bets contrary to the statute as it is now.

By the Chairman:

Q. It does not seem to you to be very convenient or sensible?—A. I do not think so.

By Mr. Blain:

Q. On that other point, was there a great deal of pool-room betting prior to your recent campaign to close them up in your city?—A. The pool rooms have not existed in Toronto for ten or twelve years I should think and before they were put out of business they were active and there were a great many complaints about them.

Q. And your recent campaign has driven them out entirely. They do not exist there now?—A. They do not exist there now, and have not existed since that time.

By Mr. Raney:

Q. I suppose I need not ask you your view of the practice of men who insert advertisements in the Toronto papers offering to sell tips?—A. I am on record in my annual report against allowing these men to continue that form of advertisement.

Q. Will you tell the committee, if you can, what has been the difficulty that your officers have met with in preventing those men from operating and those who operate with hand books?—A. We have to produce evidence of the bet made and there are only two ways of doing it. One is verbal and the other is by ticket or writing to show that the bet has been accepted, and this kind of men are very wary and naturally it is very hard to make a case against them. In fact a police officer would find it a very difficult matter to establish a case because generally speaking the police officers are known and these men are the kind of men that would be suspicious. We have only succeeded through the instrumentality of outside chance.

Q. Have you been informed by your subordinates that these hand book men frequent large factories like the Massey-Harris Company, the Canada Foundry and the railway workshops taking bets?—A. I have heard that rumoured, but I have not known it as an established fact.

Q. No official report of it?—A. No.

Q. You probably know that the courts have decided that the taking of bets by hand-book men on the street is not an offence?—A. It is legal.

APPENDIX No. 6

Q. A street not being a place within the meaning of the Act?—A. Yes.

By Mr. Blain:

Q. Would the passage of this Bill that has been referred to the committee be in your opinion, in the interest of morality in the city of Toronto?—A. It is a large question. If betting could be suppressed altogether, absolutely, privately and publicly, I would be in favour of it as distinctly as I could express myself, but I would be rather inclined to think that if the profession of bookmaking was abolished on the race track some substitute would be devised to take its place and the last state of that man might be worse than the first.

By the Chairman:

Q. And if the bookmaker could be abolished and no other form of betting substituted, you think it would be a good thing?—A. I do.

By Mr. Sinclair:

Q. Would you favour an amendment of the law making it criminal for a newspaper to publish those tips, those advertisements?—A. I would. I think those tips are fraudulent in most cases.

Witness discharged.

J. M. DOUGLAS, called, sworn and examined:

By Mr. Raney:

Q. Senator Douglas, you have had some experience as a horse breeder?—A. Yes.

Q. A good many years?—A. About 50 years.

Q. And I suppose that necessarily you have given a good deal of consideration to the question of horse breeding and perhaps to the question of the breeding of thoroughbreds and breeding generally.—A. I may say generally. I have owned and have now in my possession thoroughbreds.

Q. Have you now thoroughbreds?—A. Yes.

Q. Now, I suppose I may take it for granted that the thoroughbred is a valuable strain?—A. Yes.

Q. And it has been said in evidence, and I do not know that it is seriously controverted, that to some extent at all events, racing is necessary as a test and necessary to develop the courage and fibre of the thoroughbred?—A. I would not like to say as much along that line as has been said.

Q. Will you give your point of view?—A. I would want to qualify it to some extent. I believe that a certain amount of exercise along a good line will produce certain results. We have had many trotting horses that have proved valuable, and their principal exercise was in a butcher's cart, because they had short runs and many of them. They developed muscle and frame that met with the requirements of their work, and I suppose the same might be said of the thoroughbred. But I do not say it is absolutely necessary as seems to have been said repeatedly in this committee, reading the evidence as I have noticed it in the papers since you have met here. I would qualify it very much. The statements that have been made, I think, are incorrect and extravagant. For example, we don't say that we fail in producing the best breeds of horses for other work in the same way. We do not say, for example, that gambling is necessary to produce a first class draught horse or a first class animal of any of the draught breeds. We would not say it was necessary to breed a good delivery animal. I would certainly say a thoroughbred is a decided advantage in breeding saddle horses and to those breeding drivers. That has been as a rule, what I have done. I say at the outset, I have no experience of racing whatever, from start to finish. I have no evidence to give. I have bred animals that were a great deal

1-2 GEORGE V., A. 1911

thought of. I was offered \$3,000 for a two year old and I refused more than once, because the individual who wanted to buy, said that the animal if bought would go to the States and be put on the race course. I said, 'There is no deal in that case.' I kept the animal until it was 14 years of age and sold it to a farmer who imports animals for breeding purposes, and the same animal is still alive in the neighbourhood of Lethbridge. I sold him at a good price at 14 years of age, but I lost money in that case. Well, I may say that I have some, one standing in my stable that is eligible for any race in America, and I never thought of selling her, because I did not wish to encourage the gambling that is encouraged by racing.

Q. That brings us up to the third link in the chain of the argument which is being made by the opponents of the Bill and that is that the present financial foundation of the race track as we have it at the Woodbine and elsewhere in Canada is the book-maker?—A. Yes.

Q. And if you take away that foundation the whole structure will tumble and you will have no race course and no thoroughbred in two or three generations?—A. I have no evidence to give on that point. But I can give an opinion if it is of any use.

Q. That is all we have had?—A. I believe possibly that the main work of the thoroughbred is speed. That is the end to be secured to have productions of the same breed for saddle purposes or military purposes or light driving, which I have found them specially useful for and along these lines they cannot be surpassed, and I have had some experience I may say. I have owned a pure Persian Arab and used him for saddle purposes for many years, and I have very grateful remembrances of the good service and pleasant times I had in connection with him. But if this business cannot be supported without the bookmaker and without gambling the business is not a good business. That is what I wish to say. If it won't be without these additions we are better without it and the men had better go out of it.

Q. Your recollection will go back a good number of years. My information is, and it is authentic I think, because it is pretty well established, that before bookmaking ever was heard of, there were some most successful racing associations and some of the most successful meets the world has ever known. What do you know as to that? Have you followed at all the history?—A. No, I do not know much about the gambling connected with horse racing. I know it was a bad thing. It is like playing cribbage or bridge, whether it is in the afternoon or at five o'clock tea. It does not make any difference.

Q. What is the relation of this question to the farmer from your point of view?—A. We have been breeding and that is our principal business on a large ranch.

Q. You are speaking as a farmer yourself?—A. Yes, we have about 100 head of short-horns and about 40 head perhaps of horses, and we endeavour to get the very best we can and import them.

Q. What I had in mind was this. Is the question of breeding thoroughbred horses, is it from your point of view an important consideration or an important factor in connection with the farming industry?—A. Well it depends entirely on what you have in view. If you are breeding for driving purposes or for military purposes. I do not see how you can breed them at all without the thoroughbred.

By Mr. McCarthy:

Q. You import the thoroughbred horse?—A. No.

Q. You do not?—A. No, not the thoroughbred running horse.

Q. Not at all, at any time?—A. No.

Q. You have not had a thoroughbred?—A. Yes, I have owned them for my boy, and have them still.

Q. An entire horse?—A. Yes.

Q. Bought in this country or imported?—A. Bred in this country.

Q. From imported stock?—A. Yes, registered stock.

Q. Did you do the purchasing or did your son?—A. I did it myself.

APPENDIX No. 6

Q. What would guide you in procuring a thoroughbred horse in making a purchase of it as to price?—A. The history and conformation of the animal.

Q. There is nothing prettier in animal life or much prettier than a good thoroughbred horse?—A. That is true.

Q. And the history of the animal would include what?—A. His breeding.

Q. And his performances?—A. I do not know. Not in my case so much.

Q. But you know, as a horseman, that it is?—A. If a man is going to gamble and make money I would certainly put it in.

Q. You know, granted that its conformation was equal, that a horse's performances would count. For instance, if I had two horses, one that would do a mile and a quarter in 2.05 and one not better than 2.15 or 2.20 you would pay more for the horse that ran 2.05?—A. I suppose it would be worth more.

Q. Would you pay more?—A. I suppose I would.

Q. And in the second place, where you can ascertain that is on the race track where he competes with other horses. If that fact is important, if that is the only place where that is obtained have you ever attended any of the races in England?—A. No.

Q. Have you ever been on a race track anywhere?—A. I have been on the Woodbine once since I became a member of Parliament.

Q. Did you see anything there that offended?—A. I did not know what was going on.

Q. You did not see anything that offended you?—A. No, I saw the outside performances.

Q. You disapprove of gambling in all its forms?—A. Yes.

Q. Including bridge, cribbage, betting on anything. You think it is bad to bet on a hockey match or a horse race and rather than have that betting you would cut out everything. Is that right? If it were necessary to stop betting you would stop everything else in order to stop betting?—A. No, I would not.

Q. It is just a question of degree then?—A. Yes.

Q. I assume it was a trotter that you sold for \$3,000?—A. No.

Q. A thoroughbred runner?—A. Yes.

Q. And you would not sell him because he was going to be raced?—A. Yes.

Q. And the reason he was going to pay \$3,000 was that he would be a good racer in that man's opinion?—A. He thought so.

Q. But you would not take that \$3,000 because he was going to race him on the race track?—A. Quite so.

Q. Did you ever have an offer of \$3,000 by anybody who did not want to race him?—A. No.

Q. You do not believe that anybody would pay you \$3,000, but for the intention to race him on the race track?—A. I suppose not.

Q. You do not mean to convey to us that you would train a trotter or a racer in a butcher's wagon?—A. No, but there are other ways of developing speed besides the race course and betting.

Q. I suppose it is fair to say you have always held very strong views against gambling in any form?—A. I think it is mischievous.

Q. You are a Doctor of Divinity, I think?—A. No, of medicine.

Q. Have you not performed the functions of a Doctor of Divinity in some parts of the country? Am I misinformed as to that? Have you not acted as a minister of the Gospel?—A. Why yes.

Q. In this country, in India and other parts?—A. Yes.

Q. And it is in conjunction with that training that you have preached that gambling in all its forms is bad, and you do not apply it to the race course any more than to any other place?—A. It is bad wherever you find it.

By Mr. Monk:

Q. Is it possible to maintain the high standard of breeding without trials of strength and speed, endurance and courage by racing?—A. Well, we do not make the same trials in the development of other breeds that you do on the race course. We can reach as high a development in the draught horse.

Q. I am speaking of the light kind?—A. I am saying it is not necessary in reaching perfection in any particular breed that they may be exercised to that extent and that men should lose their heads and their business and everything else for it. It is a matter of judgment as to the mechanical combination, the mechanical structure of the animal.

Q. But to form a judgment as to the respective merits of a horse for the purpose of selection must you not have those tests of speed, endurance and courage?—A. I could do that without making a test. I would trust my eye in the structure of the animal and the general measurements. I could size it all up in my own head without any test at all.

Q. I am talking of the general rule?—A. That is my rule.

By Mr. McCarthy:

Q. You never bought a racer did you?—A. No, but I would soon find it out without putting it on the race course.

By Mr. McColl:

Q. Do I understand that you are opposed to racing as a general principle?—A. No. I think a well developed roadster or a thoroughbred enjoys a gambol and a run just as much as a dog does. I think they enjoy it, there is no doubt about that. But that is another thing from teaching them to race, and from men losing their business and their money and demoralizing society. That is what I am opposed to. I do not know whether the race course at Toronto is responsible for all the mischief done on those occasions, but a year ago I happened to go to Toronto and on west to Owen Sound, and I went up on the train and there was a theft committed on the train going into Toronto. I had not gone down off the steps of the train in the station of Toronto when a gentleman met a lady, an elderly lady and her daughter, and they had not taken three steps on the platform when some one struck a chatelaine bag and the chatelain case struck me on the ankle. I said, 'There is something goin on.' 'Oh,' they said, 'It is the races.' I picked up the chatelaine case and spoke to the lady. I said, 'You had better look at your chatelaine bag and see if you have lost anything,' and she found it was hers, and more than that, the chain of her gold watch was drawn right into the corner and that would have gone if it had not been caught as it tightened in the corner. I said, 'What does all this mean,' and they said, 'Oh, it is the gamblers. The police would not allow them to go to the Woodbine and they are operating around here.' It is that sort of thing that gives people the idea that a miserable low down people follow up those races. If you can exercise your thoroughbreds and develop them, I have no objection to that, but for heaven's sake do get rid of this abomination that comes across the lakes on such occasions. Get rid of the gamblers.

Q. I suppose that would necessitate the abolishing of racing altogether?—A. Not necessarily. I ask your attention to all the exhibitions of pure bred animals in connection with our shows. I have no objection to their stepping around there as lively as they like.

Q. Would not the same class of people come to Toronto on the occasion of the Toronto fair or any other large fair?—A. I do not think so. There is not enough to induce them to come, not enough to pay expenses.

APPENDIX No. 6

Q. They are not so much at the race course?—A. I do not think they would have the same inducement.

Q. Do not the ladies who come to the exhibition carry as many jewels as the ladies that go the races?—A. I do not know, perhaps they don't.

By Mr. Moss:

Q. You think the bookmakers go down to the station and pick pockets between times?—A. No, but they are the same kith and kin.

Q. I understand you to say that you regard all betting as an evil?—A. I think so ultimately.

Q. I am going to ask you the question, do you regard it as a sin, as something that is contrary to the divine will?—A. I would not like to say it is a sin per se. I have no right to say that, but gambling leads to robbery. You come into possession of what is not your own, what you do not labour for, what you have not honestly gotten and others have suffered in consequence. I met with a gentleman and I said to him, Would you do this? 'Why yes,' he said, 'if the devil will pay me enough I will do anything he asks me.' Now it is a question of money. If, I say, this business cannot be supported without the trickery of getting more than what is honest or square from the people then go out of the business and take up something that is better. That is my instruction and my judgment.

Q. You hold the same views with regard to the stock market and other forms of speculation?—A. Yes, and I act on it.

Q. But you don't find that the majority of your fellow men do?—A. Oh no, they won't. Just like that doctor who said that if the devil would pay him enough wads he would do the job. There will always be people of that kind and it is the duty of the government to see that the morality of the people is protected, that their financial interests are protected while justice is done and make it difficult for men to do wrong. I think that is perfectly plain. We want good horses and good stock and we will have them in this country, and I think we have them as good as in any country.

By Mr. Raney:

Q. We can afford to pay the price?—A. Yes.

By the Chairman:

Q. As a man who has been breeding horses for many years, both heavy draught and running horses, and who is very much interested in all horses, do you think if this bill were passed to abolish race track gambling it would not materially affect the class of horses to be found in our Dominion, that we would still have good horses?—A. I think so. It would affect the business. There would not be the same money made at it and there would not be such fine attendances. It is the money that can be made and men do not care how or in what way they get the money. That is the attraction.

Q. The passing of this Bill would not in any way affect your breeding of draught horses?—A. No.

Q. Would it in any way affect the breeding of hackney horses?—A. I do not know. They are all bred on a thoroughbred basis if they are at all good.

Q. Dr. Rutherford said he did not know of any breeder in Canada who has been using the thoroughbred to improve the hackney. That being so it would not affect the hackney horses?—A. I can explain Rutherford's statements because the hackney gelding has got to such a pitch in England that it is an established type of horse.

Q. I take it that just in the same way that the thoroughbred horse has his good qualities so established, they are now so sufficiently fixed in him and that the qualities of the hackney are now so firmly fixed that he does not require to use a thoroughbred for further improvement. Is not that about it?—A. To a certain degree that is true.

Q. It would not affect the breeding of heavy draughts or hackneys and nobody is here to advocate such breeding. But Dr. Rutherford said he did not know of any

1-2 GEORGE V., A. 1911

breeder of the standard bred either in the United States or Canada that would use a thoroughbred to improve the standard bred?—A. I would ask Rutherford if he could tell me any that has made a record that is not of the same stock.

Q. Dr. Rutherford would say that, in fact I think he did say that all the qualities of the standard bred were originally obtained from the thoroughbred, but that the thoroughbred could not now be used to advantage in the breeding of standards?—A. Not now. It would be working in a line of breeding, going backward instead of forward.

Q. So the thoroughbred is no longer required to improve the standard?—A. I think some of them would be the better if a little of it.

Q. But as a general thing, speaking generally, could you profitably use the thoroughbred to improve the standard bred? I am not speaking of exceptional cases but generally speaking?—A. I would not like to specify. That would be like a surgical operation.

Q. One more question. In breeding for the thoroughbred horse or the standard bred horse, either running or trotting horses, in breeding them continuously one or both for extreme speed, would it not be likely to deteriorate the horse in other respects, and has not that been the result?—A. I think that if you breed the thoroughbred to nothing but speed he would be useless for anything else in a sense except for crossing with other breeds. In fact they are really not of much value but on the race course.

Q. The thoroughbred is not of much value except on the race course?—A. I think that is true.

By Mr. McCarthy:

Q. And for crossing purposes?—A. For breeding purposes.

Q. In using a thoroughbred for crossing would you choose a thoroughbred which had been bred especially for speed and had lost his beauty of conformation and his substance and all that, and so of no use except for racing in a mile race or a mile and quarter, is that the stamp of horse you would use for crossing?—A. I would take the conformation and the special points in the animal that I want to breed and if the horse did not possess them I would let him go. That is one of the senses in which a horse has to breed along certain lines. The man has his idea and has to build up his own by careful selection, and if he finds in another animal points that are going to improve the weak points of his own that is what he wants to purchase and use. I love the horse and I have used them and I have never abused them, and I have a stable of them which you are all welcome to come and see. But I do not see why any of those breeds and even a thoroughbred cannot be brought to the most ideal state without gambling. I do not say it is any worse on the race track than it is in the parlour or anywhere else. I am sorry we were made on that principle that we always like to take risks and have a little fun.

By Mr. McColl:

Q. I suppose you will agree that for the purpose of development of the thoroughbred it costs a good deal of money?—A. There is no doubt about that.

Q. And the question is how are they going to get the money?—A. If they have to get it from the means they use I say they will never get much good of it. I think if the business cannot stand on sound good principles, justice between man and man, they had better get out of it. Lots of money can be made in this country especially in the west.

Witness discharged.

PETER CHRISTIE, called, sworn and examined:

By Mr. Raney:

Q. You are a farmer and horse breeder of many years' experience?—A. Nearly my whole life time, a good many years.

APPENDIX No. 6

Q. In Ontario, Canada.—A. In Ontario.

Q. And you were a member of your riding in this House in the last parliament?
—A. Yes.

Q. Now you have had occasion no doubt to give a good deal of consideration to the relation of the thoroughbred to horse breeding?—A. A little, yes.

Q. Will you tell me what your view is as to the relation of the thoroughbred to horse breeding in general as an economic factor and from the farmer's point of view?

—A. From the farmer's point of view, I do not think he ever wants to go into racing thoroughbreds because a farmer in my county at least does not farm for fun. He wants to make money out of it and my experience and my knowledge of my surroundings is that the draught horse, the Clyde horse, is the profitable horse for a farmer to raise.

Q. You say that the farmer does not want to go into the raising of thoroughbreds. Do you mean that it is not a profitable business to breed his mares to thoroughbred sires?—A. No, sir, I think not.

Q. That is what you mean?—A. I mean that if he has got thoroughbred mares then I say breed to thoroughbred sires, but not breed to what we call the farm or agricultural draught horse nor breed her to the thoroughbred horse.

Q. I suppose no farmer, unless he be a very wealthy man and goes into the breeding of thoroughbreds, would keep thoroughbred mares to breed to thoroughbred stallions?—A. There is an occasional one here and there. I had a neighbour who did that.

Q. But you do not think it is profitable?—A. I do not think it was profitable to him.

Q. Then I understand you to say that you do not regard the thoroughbred stallion as an advantage to the farmer speaking generally?—A. No, sir.

Q. I understand there is a Seagram stallion standing not far from your farm?
—A. Yes, Millbrook, close by me.

Q. And for some years?—A. Yes.

Q. Have you used him to any extent?—A. Twice, I think.

Q. But not to any extent?—A. No.

Q. Just for the reason that you do not think it is good economics?—A. Well, I had a light draught mare and I thought it was a good course to breed her to Millbrook.

Q. You experimented?—A. No, I didn't. I had put her before to a similar horse.

Q. Do you know whether it is so that the breeding of thoroughbreds is an exceedingly uncertain business. I understand, for instance, that if a man had a stable of 20 or 30 thoroughbred mares and gets one a year he considers himself very fortunate?

—A. I understood that, but as a matter of fact I do not know.

Q. What is the experience of the farmer who has raised animals of this class, thoroughbred animals, so far as the price he gets for them is concerned?—A. If he happens to get a good one he will perhaps get a good price for it, but the difficulty I have noticed is that they only get a seller perhaps one in five or six that will bring a big price and then the one that wont bring a good price is not nearly as good a horse for the farm as if he had been a Clyde or a draught horse.

Q. Then if there is a good price paid for that horse is it the farmer or the middleman who gets it?—A. My experience is that the farmer don't get the good price, it is the middle fellow, we call him the sporting fellow, who makes his living out of that sort of thing.

Q. Mr. Orpen spoke of paying \$200 for a horse and selling it for \$12,000 and gave a couple of instances somewhat parallel. That is what you mean by the middleman making the money?—A. Yes, that is a pretty big price.

Q. Now the thoroughbred from your observation, is he of any use as a utility horse?—A. I do not think he is as a general rule. You get one thoroughly broken and he is a splendid driver, he has got any amount of nerve and staying power, but for a

farmer's horse for a family around a farm they are a little too quick and active. That is my experience. I have raised a few of them not pure, but roadster mares.

Q. We had some facts before the committee, certain witnesses who spoke of the advantage of breeding country mares to thoroughbreds for the purpose of breeding remounts for sale to the British army. Would you, as a farmer, advocate a policy of that kind?—A. I do not think it would be a very profitable thing for the farmer. My experience has been in our country, I live in a Clydesdale county, and we have got some few thoroughbreds. Now we claim, and I think we could establish, that they are the most profitable horses for the farmer to raise.

Q. Somebody has suggested that the land is clayey and that it is necessary to have heavy horses to work it?—A. Well we have clay soil and we have a lot of very light soil.

Q. Is there anything to distinguish the character of your county in that respect from other counties?—A. No.

Q. Well, go on.—A. Several years ago, perhaps some of the first importations of Clydesdale horses came to that county and they have been there ever since, and we think that they are the most profitable horse for the farmers to raise. Now in raising a Clydesdale he don't have to trot fast or to run fast, and he is a naturally broken horse. When you want to use him you can pretty nearly put the collar on him and get to work.

Q. And about the roadster?—A. He has got to be handled very carefully. The farmer has hardly time to handle him if he is bred very well.

Q. They have roadsters outside of the Clydesdale—A. Yes.

Q. And what are the roadsters?—A. There are a few thoroughbreds and some hackneys. I have raised a few hackneys there, what we call roadster mares. The hackney is a fine tempered horse, and a very good serviceable horse to work.

By the Chairman:

Q. It pays you better to breed using your own light mares to a hackney or thoroughbred?—R. To breed for a driving horse breed to the thoroughbred.

Q. How many horses have you in your stables now?—A. About 20.

Q. It is said that if this Bill passes and bookmaking is prohibited on the race tracks that the racing tracks at the Woodbine and similar tracks in Canada would be closed and that racing would be killed or reorganized on a different basis. What do you say as to that?—A. Well I have not very much experience in racing but I would be very sorry to say that.

Q. Very sorry to believe that?—A. Yes, I would be very sorry to believe that, because I think that the energy of those people interested in the thoroughbred and the hackney and the interest they have in the horses would still keep it up without the betting. This is just what is in my own mind, that the man who puts his money into the thoroughbred is not the man who makes the money on the race track in gambling or bookmaking. It is not the man who has got his money in the horse that is making his money out of it. The fellows who are getting that are on the side altogether.

Q. They are not horsemen nor sportsmen?—A. Well their sport is to make money.

By Mr. McCarthy:

Q. Don't you think that the man on the side making the money ought to pay some toll towards sustaining the meet?—A. If you can get at him.

Q. Well the figures show that we do, that he pays for the privilege of being a bookmaker which goes far towards sustaining the race meets and the giving of purses for the races which are won by the horse owner. Have you taken that into consideration?—A. I do not think that this side business or those chaps should be encouraged, I say that.

Q. That may be very true, but I suppose you will agree, you understand that this Bill does not purport to stop betting between individuals?—A. I think that would be pretty hard to do.

APPENDIX No. 6

Q. Individual betting is to go on promiscuously. It is only intended to stop the man standing on a box or on a stool and making a bet with anybody who comes along and if you were not betting you would not derive any revenue from it. The evil may go on if there is an evil, but you get no revenue from it. Have you been at the Woodbine?—A. Just once.

Q. Then you do not take much interest in the running horses?—A. That is correct.

Q. I think I have seen you at various country fairs as judge?—A. Yes.

Q. And it is entirely in the heavy horses that you are expert?—A. Yes.

Q. In the county, you have had this thoroughbred stallion standing?—A. Yes.

Q. You said you bred to Millbrook twice within the last two years?—A. Yes.

Q. Has Millbrook been used by other farmers in the county?—A. He is used among the neighbours. They do not travel him.

Q. They use him themselves?—A. Yes.

Q. There is some effort then in that part to get a light horse breed?—A. Yes.

Q. And those light horses will be sold for saddle purposes, remounts and driving purposes?—A. That is right.

Q. Millbrook is a cast off of Mr. Seagram's?—A. He was a King's Plater.

Q. He would not have been in the County of Ontario but for Mr. Seagram, in all probability. I mean to say that racing produced him?—A. Yes. Mr. Seagram's horse is right around the same settlement.

Q. You have got a good little settlement?—A. Fairly good.

Q. And they acquired this horse from Seagram?—A. Yes.

Q. And your evidence is that we cannot look to the farmer to sustain the light horse breed, that there is no money in it?—A. That is right.

Q. So if we want light horses we have got to look elsewhere than to the farmer?—A. Yes.

Q. Then we have got to get a special breeder?—A. Yes.

Q. And there has got to be some encouragement to that breeder?—A. Yes.

Q. I suppose you would agree with me that it is good business to endeavour to produce and to sell those light horses for military and other purposes?—A. It might be.

Q. It might be a good industry. If you heard the figures of what the British Government is prepared to pay in Canada you would think so; they are away up in the millions?—A. Yes.

Q. It would be a good thing to encourage in Canada that market?—A. I would say to those light sporting men, let them breed them up as fine as they mean to, but I would never say to a farmer, cross your mare with a thoroughbred.

Q. You would never say to a farmer who owned a Clydesdale, cross with a thoroughbred?—A. No.

Q. But if you had a light legged mare to put it to a thoroughbred sire?—A. Yes.

Q. It would be bad business for a farmer to cross a Clydesdale mare with a thoroughbred you think, that is your opinion?—A. Yes.

Q. But it is good business for a farmer to cross a light legged mare with a thoroughbred?—A. Yes.

By the Chairman:

Q. Always?—A. Well for a roadster horse. If you want a driving horse I think it is.

Q. But if a man has a light legged mare and wants to breed a horse that will sell well would you advise him to take a thoroughbred sire or a hackney, or a standard bred sire?—A. It would depend a good deal upon his style and weight. Perhaps the hackney would bring him in the most money, but follow it up. The hackney horse to a certain extent is a freak. I have raised a few of them and they are from General Brock and Morgan mares and I have sold them to fellows that understand how to handle them and they have made them high actors, and I have

1-2 GEORGE V., A. 1911

seen them high actors from horses that so far as I knew had not a drop of hackney blood in them, and they were sold for very big prices.

Q. If a man who had not been farming long and did not know much about horse breeding came to you and said 'I have got two or three nice light legged mares and I want to breed them. I thought of breeding either to a thoroughbred or to a hackney or standard bred. I want to sell a colt.' What would you advise him to breed to, what would your advice be?—A. As I said before, it would depend a great deal on the style of the mare, and then it would depend a good deal on the conformation of the horse.

By Mr. McColl:

Q. If you had a mare and there was a thoroughbred sire which was never likely to produce a good saddle horse or hunter you would breed to him in preference, but if he were a smaller thoroughbred where you would never get a driving horse you would breed to the hackney. It would depend on the individual sire?—A. Yes. My opinion is that to get a first-class driving horse he has got to have some thoroughbred blood in him. Now the hackney horse we have raised a few of them, and they are nice for jogging along home, but if you want to drive ten or fifteen miles they are a poor horse to take.

By the Chairman:

Q. The object of this Bill is to entirely do away with professional gambling on race tracks. Should that Bill become law and should it have that effect of entirely prohibiting professional race track gambling would that injuriously affect the farmers of the county in your opinion?—A. I do not think it would to any extent.

By Mr. McColl:

Q. Would it benefit them to have this law passed?—A. I live right opposite an ice track where there are races every winter. It costs you nothing to see them.

By Mr. McCarthy:

Q. An ice track?—A. Yes. It is the kind of crowd of fellows who seem to follow those races from place to place, those trotting races, not running races, that seems to prevent the best element in our country from attending them. There seems to be a gang of sports who are strangers to that community. They come from all over. They have splendid fur coats and fur caps, and they are not afraid to put up their money and bet on their horses, and they have got their bookmakers.

By Mr. Monk:

Q. Who manages those races?—A. A little committee in the town of Port Perry. Several gentlemen who are very fond of racing.

By Mr. Sinclair:

Q. Would it be a good thing to stop?—A. I do not object to trotting. I think every person likes to see a horse race, but it is the crowd that seems to follow behind that makes it a little disgusting to the community.

By Mr. Monk:

Q. Do large numbers go there?—A. No, very small. Purses are made up by the citizens of the place there and the entry money the fellows pay.

By Mr. McCarthy:

Q. If you stopped bookmaking on that track what would be the effect?—A. I think it would affect it very little.

Q. You think the races would still go on?—A. I think they would.

APPENDIX No. 6

Q. When I say betting, I mean pool selling as well as bookmaking?—R. Those fellows come there and pay as much as \$80 or \$100.

Q. Does not that supply the purse money?—A. Yes.

Q. If you took that away?—A. I think that would be made up by the town.

Q. Do you know whether it is done in Ontario?—A. I do not. I do not follow them. I sometimes go and see that.

Witness discharged.

The committee adjourned until Thursday, January 27, at 11 o'clock.

THURSDAY, January 27, 1910.

The committee resumed at eleven o'clock a.m., the Chairman, Mr. Miller, presiding.

Mr. BLAIN.—Before we commence our duties this morning I would like to suggest for the consideration of the committee, and I think it is only fair to everybody, that the committee at this stage in the discussion of the Bill—we have been meeting now for several days and taking evidence from every part of Canada, and I think now we should ask Mr. Raney to call Dr. Shearer, who is, I understand, his important witness, and who, I suppose, will naturally know more about the Bill than either the members themselves or any other witness that Mr. Raney has to call. I think we now have reached the point when we should hear what Dr. Shearer has to say, not that I wish that any other witness should be barred out, but as Dr. Shearer is the man who has devoted his attention to, and made a study of this matter and is here in support of the Bill I think we should now have an opportunity of hearing him rather than prolong this for several days and probably extend it even into next week.

The CHAIRMAN.—I think nobody will disagree from what Mr. Blain has said except that there are here two officers of the police force from Toronto who will have to get away as soon as possible and the Hon. Mr. Fisher has also agreed to give us his time for a little while this morning. When we get through with these three witnesses, the two gentlemen from Toronto and the Hon. Mr. Fisher, if he comes this morning, as I expect he will, everybody will agree that it will be proper to hear Dr. Shearer. Will that satisfy you Mr. Blain?

Mr. BLAIN.—Yes, I do not wish to press it particularly.

Mr. RANEY.—I might say without prolonging the discussion at this stage, that after these witnesses have been examined I may have something to say in reference to Mr. Blain's suggestion.

Mr. BLAIN.—You had better say it now, I think.

Mr. RANEY.—It will be found that owing to the fact that the programme we had made out for ourselves when we came here was altogether upset by reason of the gentlemen opposite, the opponents of the bill, asking to have the onus placed upon them and asking to be permitted to proceed with their opposition to the bill, we have recast our case entirely with the result that I am now intending and expecting to be able to very much reduce the area to be covered by Dr. Shearer's evidence, thinking it more important to, if possible, cover what he would say by the evidence of men who can speak at first hand in many cases, therefore I had it in mind not to call Dr. Shearer until I have exhausted the other evidence I have to offer.

Mr. BLAIN.—I am agreeable to that. For myself I understood that the committee, when they decided, after some little hesitation on the part of some members of the committee, that Mr. Raney should have the opportunity to take his witnesses first and have the time of the committee for the first day or two, whatever time was necessary; but when we attempted to carry out that proposition Mr. Raney was not ready.

1-2 GEORGE V., A. 1911

Mr. RANEY.—Oh, yes.

Mr. BLAIN.—Well, if Mr. Raney was ready he did not take his place that the committee were ready to give him; I think that is correct.

Mr. RANEY.—I gave way under pressure.

Mr. BLAIN.—I do not think it was under pressure.

Mr. RANEY.—I understand it was so.

Mr. BLAIN.—Did you understand it was so? I did not so understand and for myself when we gave Mr. Raney an opportunity of presenting his case it appeared to me that if he did give way there was not very much reluctance about it.

Mr. RANEY.—I gave way with good grace.

Mr. BLAIN.—Whether that be right or wrong as the matter stands now, there has been uniform good feeling, and I think now the committee are entitled to hear the important witness on the other side. For myself I am anxious to know what Dr. Shearer has to say. I am only repeating now what I said before when I say that he has made a study of this matter, he has gone up and down through the country and is undoubtedly in possession of a great many facts that the committee at this stage of the proceedings should know, and for this reason I think that it would not be fair to Mr. Raney or to either side that we should ask that the chief and the important witness in support of the bill should now be heard.

Hon. Mr. STRATTON.—How do we know that the important witness on that side has not already been heard?

Mr. BLAIN.—We only know by what Mr. Raney has said that Dr. Shearer was his important witness.

Mr. MONK.—I came to the committee yesterday for the first time and did not like to butt in too much, but I had the desire to ask you, Mr. Chairman, to have a meeting with closed doors this morning in order to settle among ourselves. I know we have been proceeding harmoniously hitherto, in what way we should proceed with this investigation, but I failed to have an opportunity of asking you that yesterday. Much of the evidence that was addressed yesterday was very interesting, but to my mind it was irrelevant; I say this with all due respect to Mr. Raney. What we want to know here, according to my view, is about abuses connected with bookmaking; I will even go so far as to say that part of the evidence that was adduced yesterday concerning the revenue which these racing associations derive from the bookmaking is not relevant. What we want to know is the abuses that may occur in connection with the operations of the bookmakers themselves. We should proceed to investigate that first, and for myself I do not know who the star witness is, but I have not heard one single case adduced in reference to abuses in connection with the operations of the bookmakers; that I think should be the very first point touched on and then we should see as to those who have vested interests and in fact to my mind the vested interests are not of very great importance, but we should say to them, this is the case that has been put before us, what have you to put forward in reply to this evidence? Otherwise to my mind and from my experience of committees the likelihood is we shall be here until the end of the session. I think we should adopt a rule which would be agreeable to all the members of the committee and follow it strictly, that is to say under the direction of the Chair.

The CHAIRMAN.—Perhaps I might say that Hon. Mr. Fisher has consented to appear this morning. I notice that he is here and that there are also present two witnesses from Toronto who cannot very well stay away long from that city; it is important that they return this evening. I propose that we hear the Minister of Agriculture and the two Toronto witnesses, and then I think it might be well to act upon Mr. Monk's suggestion that we have a meeting with closed doors.

Mr. BLAIN.—We have the understanding then, that after that Mr. Shearer will be heard.

The CHAIRMAN.—Can we discuss that at the meeting we spoke of with closed doors?

Hon. Mr. FISHER.—I can come back another time. If there are witnesses here

APPENDIX No. 6

from a distance it would be better to take their evidence and not detain them here. I shall be in the city all the time and if you wish to have a meeting to discuss the procedure with closed doors, it would be quite satisfactory to me, I have plenty of other things to do and I can come back at another sitting.

Mr. BLAIN.—We might hear the Toronto witnesses and then I think we can settle our further procedure.

Mr. RANEY.—I might say to Mr. Monk that he has lost some of the proceedings by not continuing to be here. We have had evidence from a number of thoroughbred horse breeders and while a large amount of that evidence was irrelevant, some of it was rather close to the question. It seems to me we ought to hear the gentlemen who speak authoritatively on issues raised by opponents of the Bill.

Mr. STRATTON.—There should be no difficulty in taking the evidence of Mr. Fisher and the two witnesses from Toronto this morning.

The CHAIRMAN.—Then supposing Mr. Fisher gives his evidence now.

Mr. RANEY.—Very well.

Hon. SYDNEY FISHER, called and examined.

By Mr. Raney:

Q Mr. Fisher we have had three propositions placed before the committee by the opponents of this Bill. In the first place the necessity, as it is said, at all events the great importance of the thoroughbred horse to horse breeding; secondly the necessity or at all events the very great importance, of the race track as a test and as a means of the cultivation of courage, and fibre and stamina; and thirdly, the proposition, and the main proposition as it seems to me, that race course as it exists to-day rests upon a foundation of 'bookmaking,' and that if you destroy the bookmaking you will destroy the race course and the thoroughbred industry. Now, I have before me a couple of articles, one from the Farmers' Advocate on the 16th December dealing with this question—speaking of it with reference to the matter now before the committee—and an article from the Weekly Sun of January 25. I should like, with the permission of the Committee, to read certain sentences from these articles and ask what your point of view is with reference to the statements therein contained. In the Farmers' Advocate of the 16th December, it is said editorially—

Mr. MEREDITH.—It seems to me that the proper procedure would be to ask Mr. Fisher his views.

The CHAIRMAN.—Mr. Meredith, if you will excuse me, I think it rather a waste of time in this committee to listen to the objections of lawyers that do not amount to anything. Mr. Raney can read a sentence or two from the 'Farmers' Journal' and ask Mr. Fisher whether he agrees with the views expressed. You may say that is to some extent leading the witness but surely it has already been done by both sides in these proceedings.

Mr. MEREDITH.—I am not aware that it has been done on our side.

The CHAIRMAN.—I think it has decidedly..

Mr. MEREDITH.—If my memory serves me it has not been done.

The CHAIRMAN.—If we had been conducting this examination strictly according to the rules of law a great many questions asked by lawyers—and I may say on both sides—could not have been asked or answered.

Mr. MEREDITH.—So far as Mr. Fisher is concerned his views will carry weight, and I would like to have them and not the views of a newspaper.

The CHAIRMAN.—You are giving very little credit to Mr. Fisher for possessing the degree of intelligence we all accord to him if he cannot say whether or not he does agree with the opinions expressed in the articles.

Mr. MCCARTHY.—Let us put it in a converse way, that Mr. Fisher as an authority is all right and that he can express his own opinions.

The CHAIRMAN.—Mr. Raney, you can proceed with your quotation from the 'Farmers' Advocate'

1-2 GEORGE V., A. 1911

Mr. RANEY.—Mr. Fisher has heard the propositions. I would like him to state what he has to say.

Hon. Mr. FISHER.—I will take up the first proposition that the thoroughbred is a valuable ingredient in the blood of the horses in Canada, and I have no hesitation in saying that there is nobody who indulges in racing, or who owns a race horse, or who deals in them in any way, who values the blood of the thoroughbred horse in the horse flesh of Canada more than I do. I consider that the English thoroughbred horse is possessed of qualities which are of the utmost value in the breeding of nearly all classes of horses. I therefore put that part of the question aside at once. The question of the maintainence of that class of horse in the country through racing is another point. The reason I want to see the thoroughbred horse maintained in Canada is that he may be able to impress his blood upon the common mares of the country, and that thereby he will be able to improve them as breeders. Although I am not what would be called a frequenter of race tracks, still I see the race horses of the country pretty frequently and in various ways, and my observations of the race horse, as trained and raised in Canada, is that the large majority of them do not fulfill this condition which I think is necessary for the improvement of stock in Canada, that the large majority of them are weedy in character and fitted only for speed, and that the use of such animals for the improvement of our breeding stock is not likely to be conducive to its improvement. There are thoroughbred horses in Canada which would improve that stock very much. Some of them may be race horses, but the class of animal that I would like to see introduced into Canada for the purpose of improving the mares of the country for breeding purposes is the stamp of horse to which the King's prizes are given in England, a horse which very seldom goes on to the race track and is not considered by the racing men, and the men who breed thoroughbreds for racing purposes, at all events a style of stallion which they want and which they use. Let me qualify my statement by saying that there are some race horses which fill that bill, but the vast majority of them do not. I do not know that I need say any more on that question. The third point is whether racing is dependent upon 'bookmaking' for its existence. I am not sufficiently familiar with all the details of the management of the race tracks and the race meetings in this country to answer that question very positively, but I must say that what I have seen of racing and of race tracks induces me to believe that betting brings a very great number of people to these race meetings who are rather objectionable in character and whose presence there would rather tend to keep away the men who are most interested in and best qualified to deal with horse breeding in Canada, and that their presence and the prosecuting of betting there has not contributed to the improvement of horse-breeding in Canada. I would just refer to one point that came under my own observation last summer most strikingly. I happened to be in a Canadian city where there was a race meeting in progress; it just happened that I was there at the time, and I was at one of the leading hotels of that city and found it swarming with a lot of men with whom I would hardly like to be out on a dark night, whose dress and everything connected with them indicated a low moral tone, and a character which I do not think could contribute to morality or to good citizenship or to anything they had any connection with. I am glad to be able to say that the majority of those people came across from the other side of the line; very few if any of them were Canadians, but the racing had attracted them, and their presence made the hotel in which I was, and the other hotels in the city at the time very objectionable for any decent traveller.

I want to say a word in regard to the necessity of betting in keeping up interest in horse racing. A very large number of the races, and a large number of the horses are of the character I spoke of a few minutes ago, designed entirely for speed, very often for short races, which are not conducive to the breeding of that stamina of race horse which I should consider to be necessary for the improvement of our horse stock. Men who are interested in racing through betting and because there is betting take very little interest in the character of the horses that are in the race, they only want to back the winner, the horse that will win the race and that is the one they

APPENDIX No. 6

choose to put their money on. The character of the horse, its quality or anything connected with it which may tend for the improvement of the breeding of horses in the country has no effect upon the man who does not enter into their qualifications. Their interest in horse racing is not in the interests of horses, but simply in the interest of betting. In many cases their interest is in the horse which they have never seen, of which they know absolutely nothing, except the tips that happen to be given them in the betting ring or in the newspapers and consequently it can have no effect in arousing their interest in horse breeding or in helping horse breeding in the country. These are the views in regard to it, I am personally perhaps not competent to judge as to the moral effect in betting, I never bet, I look upon it as a stupid thing to do and so perhaps I cannot sympathize with the interest of those who do like to bet, but I think those who do like to bet for their pleasure personally, either through the medium of a system or agency, or through a third party, wish to bet for their amusement or their pleasure, it is for them to say whether it is for their amusement or their pleasure, but to encourage a system and a scheme which invites betting and gives it an opportunity for gambling with those who are not in any way in personal contact with the person with whom they bet, or with whom they gamble, but who do it simply by machinery, I cannot see the advantages or the pleasures of betting or what possible good it can do in the country; while I think in many cases and in many ways it is a temptation to many who are already weak enough to do what hurts them, hurts their families and hurts the community in which they live.

By Mr. Raney:

Q. You will perhaps know that horse racing antedates bookmaking a long way, as a matter of history?—A. Yes.

Q. And that horse racing was a sport, a very popular sport, and that the race crowds were large long before bookmaking was ever heard of?—A. Yes.

Q. Do you happen to have any recollection of some of the great events in the latter part of the last century, in New York for instance, the race between Eclipse and Sir Henry?—A. I could not remember any details of it, of course the names are familiar to me, the great races are more or less familiar to me, but I have no recollection of the details.

By Mr. McCarthy:

Q. Will you be kind enough to tell us where the place you spoke of in Canada that you attended last summer was?—A. Victoria, B.C.

Q. There was a fair or exposition of some kind going on at Seattle, was there not, in close proximity to Victoria?—A. Yes.

Q. Have you ever attended the Ontario Jockey Club meeting at the Woodbine, Toronto?—A. I do not think I ever was present at the Woodbine races.

Q. Have you attended the meetings at Blue Bonnets, at Montreal?—A. Yes.

Q. Would you say the same with reference to the meeting at Montreal that you have said with reference to the Victoria meeting?—A. No, not on the occasions that I have been there.

Q. I am informed that the conditions of which you spoke in connection with the Victoria meet last year and the cause of them were unique, that it was by reason of its proximity to the Seattle Exposition from which place people went over in large numbers, and the conditions which you have described existed last year by reason thereof. What have you to say with regard to that?—A. I would say that probably that intensified it, but at the same time I think there is no doubt that that gang of people would follow any race track they could reach.

Q. And that race meeting I understand went on for some 60 days?—A. I believe it was something like that.

Q. If that were controlled and horse racing were put on a basis of say about 10 days, do you think that the difficulties would be ameliorated, to a very great extent

under such circumstances?—A. I should think they would be intensified for the 10 days.

Q. In other words, you think they would try to get in the 10 days the evil that they had committed in the 60?—A. I should think so.

Q. And you do not see any difference between a 10 days and a 60 days meet in that respect?—A. I think probably they could not do as much damage in 10 days as they could in 60 days, although, they would do as much of their work as they could do in 10.

Q. I can quite see the logic of your thought in that respect. Do you think this gang would be likely to go to a place for 10 days, whereas they would go to a 60 day meeting?—A. I do not know as to that.

Q. Would you not think that the gang there would be more likely to gather at a 60 days' meeting than if there were only 10 days?—A. It is possible they might if there were no other races to attract them.

Q. You spoke of having a knowledge of thoroughbred horses that is obtained more by attending horse shows than by attending race meetings, I take it, in your case?—A. In my case, yes.

Q. Have you had, either at horse shows or at race meetings, the pleasure of seeing such horses as Martinmas, Inferno, Saragossa, Slaughter, Fox Hunter and Tongorder?—A. I confess I do not know the names, I do not recognize the names of any you have mentioned.

Q. I am told these are the best horses that have been owned in the Province of Ontario, they have been owned by the late William Hendrie, by Mr. Seagram and by Mr. Dymont?—A. It depends upon what 'best' means.

Q. That is what I want to get at, because I have some little feeling towards the horse myself. I was going to ask you if you had seen them, and if you had I was going to ask you to point out to me, take Martinmas, for instance, and point out wherein he would fall short of your desires for light horse purposes?—A. I do not remember the names of the horses. On various occasions I have been to horse shows in Toronto and no doubt I have seen some of those horses you have spoken of, but I cannot remember any individual name to judge of them.

Q. Then of course at the horse show you have not seen any of the horses you spoke of, such as you describe as being 'weedy'?—A. Not at the Toronto horse show, no.

Q. How many times have you been on the race track seeing the horse races?—A. Not very often.

Q. You have not been there very often?—A. No.

Q. So that we are getting down to it—your opportunity of having seen these inferior horses has not been very large?—A. I have seen quite a number of them, a very considerable number.

Q. You have seen quite a number of them?—A. Yes.

Q. Were they stallions, or mares, or geldings?—A. All three.

Q. Can you tell me the name of a stallion you have seen that you consider is not fit to breed the light horse?—A. I could not remember the names of them all. They did not make enough impression on me so far as names were concerned.

Q. But of course you know to what extent our thoroughbred breeders have been going into the importation of thoroughbred stallions?—A. I have heard so.

Q. And you know it runs up into very large sums of money?—A. I believe so.

Q. Would you say that the importation made by these gentlemen are not of horses of the best class as to stamina, courage and formation?—A. I think they are for racing purposes.

Q. Then will you give me your distinction between breeding for racing purposes and breeding for the light horse?—A. My distinction is this; that the racing purpose horse, if he is fast, serves all the purposes for which the breeders and the buyers

APPENDIX No. 6

look. He cannot, however, stamp upon his progeny the useful purposes which the light horse in Canada ought to have, apart from pure speed.

Q. Then might I ask you this question: have you ever seen the race, horse stallion with a good record for running that does not possess formation, stamina and courage in addition to his speed?—A. I have seen horses that have won races that that did not.

Q. But I am speaking of such horses as these men import, the horses that I have mentioned, because I am aware of a lot and they are as pretty as a picture?—A. They may be very pretty, I do not deny that for a moment.

Q. And their formation is perfect. Your department I think works in conjunction with the Canadian bureau?—A. No.

Q. For instance Fort Hunter—a horse which has been spoken of here and which was imported by Mr. Dymont—has been given to that bureau to make use of to cover on the mares of the country. It was from that fact that I wanted to gain whether your personal knowledge applied to these good horses which these breeders have imported, your personal knowledge, but apparently you cannot carry the names in your head so as to be able to speak of the various horses?—A. No.

Q. You have attended race meetings I suppose in England?—A. Yes.

Q. For instance, the Derby?—A. Yes.

Q. I suppose the Derby winner fills your eye as a rule?—A. Sometimes. Not necessarily as a breeder.

Q. But as a rule?—A. Not necessarily as a breeder though.

Q. Have you seen the horse Ormond?—A. I do not think I ever saw Ormond. I have seen very good pictures of these horses.

Q. Have you seen Minoru?—A. I cannot remember the names of the winners. I have seen the Derby twice but I cannot remember which horse won.

Q. You have only seen the pictures? Well the picture seems to fill one's eye?—

A. Sometimes, and sometimes not for my purpose.

Q. Is it your idea that the race horse of England produced and refined as he has to come to be, is not a useful horse?—A. He is useful for the purpose for which he is bred.

Q. You think for racing only?—A. Well not all together. There is no doubt that there are some of these race horses, perhaps a considerable number of them, who have the bone and the muscle and the necessary formation to be good breeders for any purpose. But at the same time I have seen I suppose a dozen poor things, weeds, on the race courses in England—as I have seen in the few times I have visited the race course in Canada—for one that is any good for breeding purposes.

Q. You go as far as to say that on the race tracks of England and Canada you have seen twelve weeds to one good horse?—A. Twelve weeds for one good horse for breeding purposes to improve the general stock of the country.

Q. You will go as far as that?—A. I will, yes.

Q. And you cannot give me the name of any one of those that you call weeds?—A. I remember the names of hardly any race horses I have ever seen.

Q. I will have to be a little more definite in view of that. How many times have you been at the Woodbine?—A. I think I was there once. I do not remember being there more than once.

Q. When were you last there?—A. I could not say off hand. I should think probably eight or ten years ago, but I am not sure.

Q. Have you been more than once to the race track in Montreal?—A. Yes.

Q. How many times in Montreal?—A. Several times, I could not tell you exactly.

Q. Would it be as many as six times?—A. I hardly think it.

Q. When were you there last?—A. I cannot say that off hand. It was several years ago.

Q. Have you been at the new course in Jacques Cartier County?—A. I do not think so. You mean the new course at the back of the mountain.

Q. Yes?—A. No, I have not been there. The course I was at last, as far as I know, was at the old road, near the fish and game club.

By Mr. Meredith:

Q. The Bel Air track?—A. I cannot remember the name of it.

Q. That must have been seven or eight years ago?—A. It may have been that.

By Mr. McCarthy:

Q. Is there any other method of maintaining the thoroughbred in Canada which could be employed by the breeders who breed for racing purposes?—A. I do not see why the thoroughbred should not be maintained in just the same way as the hackneys, clydes, and other horses are maintained in the country and maintained more largely than the thoroughbred is.

Q. But for more general uses?—A. Yes, but much more largely maintained.

Q. We were told, and I want to find out whether you agree with the statement, by Mr. Peter Christie, a witness called by Mr. Raney, that the farmer could not afford to breed the thoroughbred from an economic standpoint?—A. I doubt if he ought to breed the thoroughbred pure bred from an economic standpoint. I doubt if the ordinary farmer ought to breed any horse as a pure bred.

Q. The ordinary farmer is devoting himself largely to improving the quality of the draft horse, is he not?—A. He is.

Q. Would you not advise the farmer to cross the clyde mare, or draft mare, with the thoroughbred?—A. Not directly, because they are too far apart.

Q. That is what Mr. Christie said. Then you agree with Mr. Christie that it is of no economic value to breed from the thoroughbred?—A. I do not say that.

Q. Then you do not agree with Mr. Christie?—A. I do not say that he ought not to do it under certain circumstances.

Q. Economically?—A. Economically. I think under certain circumstances economically he might do so.

Q. Then do you think, if you rely on the farmers, that under those circumstances you are going to improve the thoroughbred in Canada at all?—A. I think that you would have to do it just the same as you do with other breeds. They have to have men who make it a business to import, or raise, the pure bred to use for crossing on the other animals. That ought to be done with the thoroughbred just in the same way as it is done to-day with hackneys, clydes, standard breeds and so on. That is to attain the object which I explained I had in view when I admired the thoroughbred.

Q. Then are you, or are you not, aware of where the thoroughbred stallion introduced into Canada for breeding purposes has come from?—A. Chiefly from England.

Q. Under whose auspices has it come; who brought it here?—A. I think the racing men have brought the most of them.

Q. In fact one might say almost entirely?—A. I think pretty nearly. And, in my opinion that is one reason why the farmers of Canada do not care to use the thoroughbred as largely as they do the other class of horses.

Q. You think that?—A. Yes I do.

Q. We heard here yesterday that in Mr. Christie's county, Millbrook, a winner of the Queen's Plate, had been taken there by a coterie of farmers and was covering their mares in that locality. The farmers there at any rate are getting the advantage.—A. If he is a good horse.

Q. You will not deny that where he is being used the farmer is getting the advantage?—A. I am not familiar with the county, but I dare say that is true.

Q. In the county of Peel, close to Toronto, we have had very strong evidence from Dr. Quinn, that horses bred for racing have been used so as to produce the best light horse of Canada. Have you any knowledge of that subject?—A. No personal knowledge.

Q. In Hamilton, where Mr. Hendrie's stable has been, do you or do you not know whether the farmers in the county of Wentworth have had such an advantage?—A. I am not familiar with that county. I know more about the Montreal district.

Q. In Quebec the breeding of the thoroughbred had been almost given up until about three years ago, when in consequence of the establishment of this Jockey Club

APPENDIX No. 6

in Montreal, the interest of the breeders has revived.—A. Yes, they have been raising thoroughbreds in Montreal for a great many years.

Q. But it ceased for a period until about three or four years ago?—A. To a certain extent.

Q. These gentlemen who formed the Montreal Jockey Club revived their interest in preserving the thoroughbred?—A. Possibly.

Q. And Quebec can now go ahead once more. The original owners of thoroughbreds, Mr. Dawes, and one or two others, had ceased to take very much interest in the matter. So that if the revival takes place there it will be by reason of the revival of the racing so far as thoroughbreds are concerned?—A. Probably in that way.

Q. Have you, or has your department, offered any inducements towards the importation of the thoroughbred?—A. No.

Q. You are aware that foreign governments do, that is European governments?—A. Yes.

Q. And whatever encouragement the thoroughbred has had in Canada it has been by racing men?—A. I think they have done most of the importation of the thoroughbreds, yes.

By Mr. Meredith:

Q. Mr. Fisher, I presume you are familiar with the objects of the Canadian National Bureau of Breeding?—A. I have had representations made to me, yes.

Q. I suppose in your position as Minister you know the objects of the association, do you not?—A. Yes, they have been told me by the officers of the association.

Q. Do you agree with the objects, speaking in a broad sense?—A. I agree with the general objects in a broad sense.

Q. Have you seen this, this has been filed, (handing pamphlet to witness) have you seen that pamphlet which is issued by the Canadian Bureau?—A. I think this is one of the pamphlets I was shown.

Q. Are you aware that in this pamphlet and in the prospectus they issue this association says that though it has not and it will not ever be affiliated with any racing association, it owes a great deal to the jockey clubs, and points out the necessity of racing tracks?—A. I do not remember reading that statement in the pamphlet, but I dare say it is there.

Q. And it also admits that it is indebted to racing men and to the breeders of race horses for many very magnificent stallions so far secured and will try to repay this kindness by making friends for the thoroughbred all over Canada, do you remember that?—A. You are quoting from it—I do not remember the words, but I dare say you are quoting correctly.

The CHAIRMAN.—You will excuse me here, Mr. Meredith, for one moment, but as a matter of procedure I was wondering when you were asking these questions and quoting from this pamphlet, how you could object to Mr. Raney quoting from a reputable agricultural paper?

Mr. MEREDITH.—That is quite easy to explain, Mr. Chairman, this pamphlet has been admitted, it was filed here.

Mr. RANEY.—But why should it have been admitted?

Mr. MEREDITH.—That was for the committee to decide. I asked to have this prospectus filed at a previous meeting because the International Bureau had been referred to, I think you had referred to it yourself, so I asked to have this put in and I also asked to have this very prospectus, which only occupied a couple of pages, printed. In view of the fact that this is already filed I have the right to refer to it, and my learned friend could have read over the whole of it since it was filed, while the extract that he desired to read he took out of his portfolio and no one had an opportunity to read it but himself. The prospectus is filed and this pamphlet also maintains that the racing track is indispensable to the breeding of thoroughbred horses, do you admit that?—A. I suppose the pamphlet does, but I do not admit that it is indispensable, I do not concur in that statement.

By Mr. Raney:

Q. What have you to say, if anything, about the economic value of cast-off race horses as sires?—A. Well, of course, that would depend entirely upon the reason they had been cast-off, and upon their own character. I could understand that a very good horse, with proper conformation and proper breeding, if he happened to get a blemish, or fractures a leg, would still be a good sire, but it would depend entirely upon the character of the horse.

By Mr. McCarthy:

Q. If it is constitutional he could not be used in the stud, but if it was only a blemish it would not interfere with his usefulness?—A. Yes, exactly, we understand that as the principle of breeding, but in the case of a race horse sent to the stud because he has been unsuccessful as a race horse I would only say that he is rather a worse weed than the rest of them.

By Mr. Moss:

Q. Are you familiar with the terms upon which the King's Purses are given in England?—A. Not in detail.

Q. I am instructed that the judges are instructed to have special regard to the racing records of the horses?—A. I do not understand that is the term. It may be, but what I understand was that the horses were chosen with special reference to their suitability for breeding hunters and military horses, and it is well known amongst horsemen what characteristics for that purpose are required in stallions.

Q. Do you know the stallions Kirkfield and Valjean that are in the Ottawa Hunt Club stables?—A. I have seen them, but I would not like to criticise or give an expression of opinion about them.

By Mr. McCarthy:

Q. Your expression with reference to weeds is with reference to trotting horses as well as to running horses, or was it a special reference to one as opposed to the other?—A. They were both included.

Q. It would not be for me to suggest that your mind has been mainly directed in making that statement towards the trotting horse?—A. No, I was not thinking about the trotting horse when I made that statement.

Q. Have you been to more trotting races than to race tracks?—A. No, I do not go to either very much.

By the Chairman:

Q. Mr. McCarthy was speaking about obtaining your judgment of winners through pictures, here is a picture of 'Minorn,' the winner of the last Derby; what do you think of that?—A. The picture is like the pictures of a great many horses, and it may be in general contour correct, of course, but the horse as pictured here would not be an ideal sire for the improvement of the everyday stock or the best light horse stock in Canada.

Q. This is the year book published by the live stock journal of London, England, which is accepted as an authority, I understand.

By Mr. Monk:

Q. I think you stated you have never done any betting yourself, have you had occasion to visit the betting ring when you visited the racing tracks, or to make any observations personally?—A. On the racing tracks I have visited the betting was pretty prominent. I did not require to visit any particular ring to see it, because it was all over.

Q. I mean the place where the bookmakers generally stand?—A. Yes, I have been around where they were, but I have not gone in amongst them particularly.

Q. Have you had occasion there to observe the existence of any particular abuse

APPENDIX No. 6

you could indicate to the committee?—A. You mean visible abuse in the manners and that kind of thing?

Q. In connection with and making it evident to you that people were betting to excess?—A. Well, only that I have seen the excitement and the faces of the people who were betting.

Q. But you could not indicate any special case to the committee?—A. No.

Q. Have any of the officers of your department at any time had occasion to report to you that abuses of that kind did exist?—A. No, we have never made any such inquiry.

Q. Now, Mr. Fisher, have you had occasion to inquire as to the nature of the encouragement which European governments give to the breeding of the thoroughbred?—A. Some.

Q. Do you know these establishments called Haras?—A. I know some of their work.

Q. That work is largely performed by the government, is it not, in France?—A. Yes.

Q. Are there any other European countries where the same or similar encouragement is given?—A. Yes, Germany and Italy.

Q. And in Australia?—A. In Australia especially.

Q. Is it very general encouragement that these governments give to the breeding of thoroughbreds?—A. Yes, for military purposes almost entirely.

Q. Solely?—A. Practically only for military purposes.

Q. Where do they obtain their thoroughbreds?—A. They go a great deal to England.

Q. In England the government does not do that kind of work itself?—A. Only in what is called King's prizes, which I referred to a few minutes ago.

Q. Is there a National Haras in England?—A. No.

Q. There is no government establishment for the breeding of horses?—A. No government establishment. The money paid as King's prizes comes from the government. It is really bonuses or subventions to a certain class of stallions.

Q. I observe a pamphlet which has been filed by the Canadian National Bureau of Breeding; is it a fact that that bureau is doing very much the same work which the governments on the continent of Europe is doing by means of these National Haras?—A. I do not think so.

Q. Could you indicate in what specific points there is a difference?—A. The government work in continental countries is done largely—almost entirely I think—in establishments where governments breed under their own supervision and management. The bureau, as far as I know anything about its work, does not do anything of that kind at all. It procures stallions which it places out in the country on certain terms and conditions. That is as far as I know of its work, there may be something else.

Q. Is not the object similar?—A. I have no means of knowing what their objects are.

Q. You do not know what the object of the Canadian National Bureau of Breeding is?—A. I know what they say in that pamphlet. They say their object is to improve horse breeding in Canada which is a very laudable object.

Q. Is there any connection whatever between your department and that bureau?—A. Absolutely none.

Q. Does the Department of Agriculture in Canada do anything special for the encouragement of the breeding of thoroughbreds?—A. Nothing of that character.

Q. Of any character?—A. Nothing of any character except the usual information that we disseminate in regard to all animals.

By Mr. McColl:

Q. Do you approve of sports in general?—A. Yes.

Q. Do you approve of hockey?—A. If it is properly managed and conducted.

Q. And football?—A. Yes.

Q. And baseball?—A. When properly conducted all of them.

Q. And horse racing when conducted as a sport?—A. Yes, I have no objection to it at all.

Q. I suppose you are aware that different classes of people prefer different classes of sport?—A. Certainly.

Q. You have spoken of being in England and seeing the Derby run?—A. Yes.

Q. That is very largely patronized as a sporting event?—A. Certainly.

Q. I am informed that on some Derby days there are as many as five hundred thousand people present, half a million of people?—A. I dare say. The crowds were immense that I saw there.

Q. The Derby is patronized by the King?—A. Yes.

Q. Then if we were to consider the breeding and the development of the thoroughbred from a sporting standpoint, would that be an honourable object?—A. I have no objection to it at all.

Q. No objection at all?—A. Not the slightest.

Q. The evidence you have been giving so far has had reference to the breeding end of it?—A. Yes, practically.

Q. None of the other gentlemen asked you anything about the sporting end of it. Then I think we are all agreed that a sport which is so enthusiastically approved of by His Majesty, Lord Roseberry and all that class of people, is something that there would be no objection to His Majesty's subjects taking an interest in?—A. No.

Q. And promoting the sport?—A. No.

Q. Then these weeds spoken of may be useful from a sporting standpoint if they are good racers?—A. Yes they may be in the same way that a second or third rate hockey team could make as much fun for the observers as a first-class one.

Q. Betting in itself is not necessarily an evil?—A. I would not like to say that it was an evil.

Q. We may have differences of opinion, but betting is not necessarily in itself an evil?—A. No.

Q. I understand that betting takes place on the Derby racecourse in England?—A. Yes.

Q. Public betting?—A. Yes.

Q. I understand that public betting of some sort is universal all over England?—A. Yes, I believe so. I have only been to two or three race tracks in England, but wherever I was it was present.

Q. You saw the public betting?—A. Yes.

Q. From your observations did you find any serious evils resulting from betting on the race tracks as carried on there?—A. I could not give you any details of what the final results were. I saw just the same objectionable features there to what they call the systematic betting, bookmaking and that kind of thing that I have observed here.

Q. From your observations here on the limited number of race tracks which you have attended—I have been confining my questions just to what takes place on the race tracks and not to anything going on at night outside or what you saw in the hotels or anything like that—Have you noticed any serious evils?—A. Well, I would not like to say evils exactly. I have seen features that are objectionable to my taste.

Q. In other words you have seen matters going on that you would not take part in?—A. No. And that were rather offensive to me, as I saw them going on. I may be puritanical in that.

Q. They might be offensive to you and not to others?—A. That would depend upon their tastes.

Q. Well that brings it down to a matter of taste. For instance our Governors General have, for a good many years past, habitually patronized the Woodbine?—A. I have heard so.

APPENDIX No. 6

Q. And I understand the Blue Bonnets at Montreal?—A. Yes.

Q. What they would see going on at those places might not be objectionable to them but it would be objectionable to you?—A. I would just say in that regard that as a rule, of course, a gentleman in the position of His Excellency has special arrangements made for him and he is a little apart from the crowd. He is not moving about among the crowd, as I would do, and would not be likely to see things that I would perhaps see. There is a good deal that he or any other distinguished visitor who was a guest of the Club at the time would not observe.

Q. If it were established that betting of some kind upon a race track was necessary to the maintenance of what has been called 'the sport of kings,' would you think it advisable to interfere with it from what you know?—A. Then you would have to balance the evils and the good.

Q. The evils and the good?—A. Yes.

Q. Would the evils, so far as you personally know them, be sufficient to justify the abolition of horse racing?—A. The evils that I personally know and that have come under my personal observation are not very extensive because I do not indulge in betting and do not go about amongst the book-makers, or frequent their places and things like that. The evils that I am practically certain that do result from it would, I think, justify their restraint and their prohibition if possible.

Q. Now, listen, are you speaking now of the evils that directly result from what takes place at the race track or the evils that arise from outside sources, the dissemination of information by telegraph to the pool rooms, the hand-book men and all that?—A. I join them all together in my mind.

Q. You join them all together?—A. Yes.

Q. From the information you have received, according to your idea, where are the greater evils to-day? Are they from what takes place outside the race track or from what actually takes place on the race track?—A. With my limited knowledge of the arrangement and the system of betting I do not suppose that what occurs outside the race track could very well occur without what goes on inside the race track; I may be mistaken as to that because I do not understand their system very well, but I have been under that impression.

By Mr. McCarthy:

Q. Mr. McColl's impression was that if you stopped all betting off the track it would remove the evils complained of?—A. I should think the first thing to do would be to stop it on the track, and then betting off the track would cease, but I do not know enough about their systems, and therefore cannot tell you; my opinion on that point is not a very valuable one because I do not know much about the system of book-making. I never took a bet in a book yet.

By Mr. McColl:

Q. Then we will go a little further, and give you a special case. There has been, for instance, evidence before the committee to this effect that the operations are going on in pool rooms, and by the hand-book men in different cities day by day throughout the whole year where bets are made upon races taking place miles away?—A. I believe so.

Q. For instance in the city of Toronto they are betting on races which take place at Jacksonville, Tampa, Oakland and other places?—A. I believe so.

Q. Whereas at the race track there are people who patronize that and go there for the purpose of the sport, they indulge probably in it for one day, and then they go home about their own business. The large majority that patronize the race tracks do not at all follow up every race track and bet on foreign races, but they go there for the sport of it for a day or two in the year and they bet one dollar, or five dollars as the case may be, just while the race is going up, and that is the end of it?—A. Possibly, I do not know.

Q. Well then, supposing that be true, would you think there would be the same amount of evil existing in betting for the pure sport of it on the race track as there would be from those outside, what we may call professional betting concerns?—A. Well, as to the comparison between two evils I do not know that I am very well qualified to judge, but from your description I should think that one was rather more widespread than the other, and therefore the greater evil, but I do not know of my own personal knowledge of it.

Q. Now you made use of one expression from which I almost gathered the impression that you thought nearly every race horse was a weed?—A. Oh, no, you entirely misunderstood me if you gathered that.

Q. From your observation did I understand you to say this, that there were 12 weeds to one good horse?—A. That is a rough estimate, I should think it would be probably that. I want to qualify that and to say this fact for one race horse that would be advantageous to use for the general improvement of the horses of the country; not necessarily for purely racing purposes, but for general purposes, the improvement of the horses in Canada and the improvement of the breed in Canada, twelve ordinary race horses would be of no value. I think that a horse might be used for breeding for fast racing that might do for that well enough, and still would not improve the breed of the general standard of horses in Canada at all.

Q. Then I suppose that one of the qualifications you would think advisable for breeding purposes would be size, to begin with?—A. Size to a certain extent.

Q. Bone?—A. Yes.

Q. And general conformation?—A. Yes.

Q. I understood you to say you never attended many race meetings, call it thoroughbred race meetings, in Ontario?—A. No, I have not.

Q. The meetings you have attended have been principally in the province of Quebec and the Lower provinces?—A. I do not think I have ever attended one in the Lower provinces, I have attended them around Montreal, and I have been at the track near Toronto, I do not know whether it was the Woodbine, or where it was, I have been there twice I think.

Q. And from what you have seen most of the horses there would be considered weeds for breeding purposes?—A. Yes.

Q. Do you know whether there has been during the last four or five years a marked improvement even in the class of thoroughbreds that have been used by the Ontario breeders?—A. No, I could not say because I do not think I have been to any of these races for several years. I know I have not been for several years.

Q. You never saw any of Mr. Davies thoroughbreds?—A. Well, I may have seen some of his without knowing it, I could not distinguish, I could not say that I had or had not seen any of his breed of horses, speaking from memory.

Q. He has some imported ones, I do not know that they have been raced, I doubt if Ailes d'Or has been raced since the first year after he came out here. But he has been kept in the stud.

By Mr. Monk:

Q. I forgot to ask Mr. Fisher this question, have you any information in your department about the organization, the object, the amounts expended upon them and the number of these Haras establishments under government control in Europe?—A. I think we have the reports of these different governments, but I am not positive. It would be only from the official reports of the government that we might have them. We might have various reports from England that would contain the information, but I am not sure.

Q. Would you have such matters looked up and allow us communication of those reports if you have them?—A. I will be glad to.

Q. What is the International Agricultural Congress which met last year in Rome? Is it a permanent institution?—A. Yes, the International Institute of Agriculture is permanent.

APPENDIX No. 6

Q. And our government is represented there, is it not?—A. Yes.

Q. Have you the scheme or programme of the International Institute?—A. Oh, yes.

Q. Is it in your department?—A. Yes.

Q. Would you place it at the disposal of the committee?—A. Yes.

By the Chairman:

Q. Would you consider a publication issued by the 'Live Stock Journal' of London to be fairly reliable?—A. I should think so.

Q. I thought, for Mr. Monk's information, if it was reliable I might read this paragraph.

'The twenty-two Haras cost France about half a million sterling a year, but £50,000 a year comes from the Pari Mutuel and this is devoted to the purchase of stallions either abroad or in the country.'

That is an extract from the 'Live Stock Almanac' for 1910.

Mr. MONK.—That of course is useful information, but if the minister has in his department the official reports he might communicate them to the committee.

Hon. Mr. FISHER.—I will look up what we have, gladly, and send it to the committee.

Mr. WALTER DUNCAN, called, sworn and examined.

By Mr. Raney:

Q. Mr. Duncan, you are inspector of detectives for the city of Toronto?—A. Yes.

Q. How many years have you been on the Toronto force?—A. A little over twenty-two years.

Q. And during that time you have known the Woodbine race track?—A. Yes.

Q. Now, have you had complaints of offences that have been committed at the Woodbine, complaints made to you or to your department of offences that have been committed at the Woodbine, or committed in consequence of persons frequenting there?—A. Yes.

Mr. MCCARTHY.—Would you mind dividing that question, Mr. Raney?

Mr. RANEY.—He has answered it, he said yes.

Mr. MCCARTHY.—Does he say yes, to both branches of it?

Mr. RANEY.—I think so. .

By Mr. Raney:

Q. Did you prepare at the request of your chief, Colonel Grasset, a memorandum containing certain information along these lines?—A. I did.

Q. Have you a copy of that memorandum with you?—A. Yes.

Q. Will you produce it? (Document produced). Now, will you say before I ask you questions on the contents of this memoranda, whether it refers to cases which have come within your personal knowledge?—A. Not all of them, but most of them have.

Q. Either your personal knowledge or information conveyed to you by the detectives?

Mr. RANEY.—The shortest way would be, I think, is to read the memorandum. I would ask you, Mr. Chairman, to request the press not to publish the names of persons mentioned in this memorandum because many of the person referred to belong to respectable families and some of them are out on parole. There are other reasons also which I am sure the gentlemen of the press will appreciate.

The CHAIRMAN.—I think the committee and the representatives of the press will see the object of withholding the names and it is a very good one. Therefore, while the cases may be mentioned the names should be withheld for fear of doing injury to the persons who are now endeavouring to reform.

By Mr. Raney:

Q. Will you proceed Mr. Duncan?—A. Shall I read the names also?

Mr. RANEY.—Just read the memorandum as you have it.

Mr. MCCARTHY.—Is this a memorandum of crimes committed on the Woodbine?

Mr. RANEY.—He will tell you as he goes along.

By Mr. Raney:

Q. You may mention the names as you read the memorandum.—A. (Reads):

Ralph Lawton on the 19th October, 1909, was convicted on a charge of non-support of his wife and family and sentenced to thirty days in jail. At the time of his arrest he stated that he had spent all of his earnings at the Woodbine races betting on the horses; that he had pawned all his own and his wife's belongings, and that the money so raised was used for gambling purposes on the race track.

Q. Go on to number two.

A. John Alfred Graham Anderson on August 12th, 1909, was convicted on a charge of forgery and sentenced to three years in Kingston penitentiary. This young man was employed in the Bank of Montreal, Toronto, when he started to gamble at the Woodbine races. He lost his position in the bank and immediately started a wholesale forgery business. Before being apprehended he passed many forged cheques to the value of several thousand dollars, which cheques were cashed in cities all over the continent and in several of the European cities. He was finally taken into custody in Vancouver, B.C., and brought to Toronto for trial. Practically all the money he obtained on these cheques was spent betting on the race horses.

The betting on horse races in Toronto was only part of it. It was when he was so employed in the Bank of Montreal that he started in Toronto and got into trouble, he went to other cities. He was finally traced and located in Vancouver and brought back and sentenced in the penitentiary.

Q. Now, number three.

A. Victor Barber on April 4th, 1909, was convicted on three charges of obtaining money under false pretences and sentenced to one year and 364 days in the Central Prison. This man attributed his down-fall to betting on race horses.

He did not say it was on the Woodbine—I want to be perfectly fair as to the statements these men made when brought in—he simply said it was on horse racing.

Q. Now give us number four.

A. Jessie Alexander on August 25th, 1909, was convicted on a charge of stealing a diamond ring valued at about \$500 and sentenced to twenty days in jail. She was boarding on Queen street east and attended the Woodbine races. She lost all her money, and then stole the ring from her landlady. She then went to Fort Erie to attend the races there and sold the ring at the race track.

This woman, although she was residing in Toronto, belongs to Cobourg. After the theft of the ring she went to Fort Erie to attend the races there. She removed the diamond from the ring, sold it on the race track and spent the money in betting on horses, losing all of it. She was taken into custody and when she came back to Toronto we succeeded in recovering the ring. We knew—and I knew from the reports I got from my detectives, of course—that she was betting and that she was suspected of stealing this ring, but knowing that she was respectable, and we just kept tab on her when she went over to Fort Erie and it resulted in us getting the diamond and returning it to its owner, and she was released. The plea was put up by counsel that she was young and belonged to a respectable Cobourg family, and on that account Judge Denton let her off with twenty days.

APPENDIX No. 6

Q. That was the representation of her counsel? By whom she was represented?
—A. Mr. Armour was her counsel in Toronto.

By Mr. McColl:

Q. Where had she come from?—A. She gave her home as Cobourg.

Q. There is no such family in Cobourg.—A. Well, her counsel, Mr. Eric Armour, son of the late Chief Justice Armour, said that he knew her and his father knew the family.

Q. You say the name is Alexander?—A. Jessie Alexander. She may be a married woman for all we know.

Q. There is no such female there, married or unmarried.—A. That representation was made to the judge at the time. I was present in court when the statement was made. This may be her married name for all I know.

Q. What was she, a servant girl?—A. No, she was staying in a house where the lady had a diamond ring, valued at \$500. She was boarding in the house and they spoke of her very highly at the time.

Q. She must have come with some of the American tourists there because there is no such family in Cobourg at all.—A. I do not know.

By Mr. Raney:

Q. She may have been under an assumed name.—A. I do not know that. I told you what her counsel represented.

By Mr. McColl:

Q. Your report states that this woman belongs to a respectable family in Cobourg, and I say there is no such family of that name within my riding.—A. That is the appeal her counsel made on pleading for leniency to the judge, that she was young and he pressed very strongly the respectability that she was brought up in, and on that account the judge let her off with twenty days imprisonment.

By Mr. Raney:

Q. That was represented by Mr. Armour, who came from Cobourg himself.—A. I believe he came from Cobourg.

By Mr. McColl:

Q. Possibly this woman had been living in Toronto for years. Do you know how many years ago she came there?—A. I do not know that.

Q. She must have been an American born and was visiting people in Cobourg.—A. I do not know that.

By Mr. Raney:

Q. Now give us case number five.—A. The next case I have here is this: William F. Kerr on July 26th, 1909, was convicted on three charges of obtaining money under false pretences and committed to the Central prison for one year. This man attributed his downfall to betting on the races. Kerr was arrested on the Wodbine race track by Detective Wallace, one of my own officers.
Q. Now number six.

A. 'Richard Bracken on April 13th, 1903, was convicted on two charges of house breaking and sentenced to the Central prison for two years less one day. This young man was employed as a book-keeper for McDonald & Maybee, cattle dealers, Toronto, and commenced betting on the horse races. He lost his position and then started breaking into houses. While employed with McDonald & Maybee he stole three hundred dollars from his employers, went to Montreal where the horse races were in progress and lost that amount gambling on the races in that city. His brother made restitution for the amount stolen.' As the brother made restitution for that amount he was not pro-

1-2 GEORGE V., A. 1911

secuted on that particular charge. He was convicted—after that he started breaking into houses, was caught and sentenced to two years on that charge.

Q. Now number seven.

A. 'James Granger was arrested here on June 6th, 1908, at the Woodbine race track for the police of New York city. When arrested he stated to the officer that if he had got him a week sooner he would have been just three thousand dollars better off, as he had lost that amount during the week previous to his arrest betting on the horses. This man was wanted in the city of New York, where he formerly held a very responsible position. He appropriated about fifteen thousand dollars of the company's funds, the whole of which he had used for gambling purposes at the different race tracks he had visited.' I might say in connection with that report that when the police communicated with us they had traced him from race track to race track where he had spent the bulk of the money previous to coming to Toronto. He had been here a week before the detectives got him on the track. He was practically penniless when we got him. They took him back to New York city and I forgot the sentence that was imposed on him.

By the Chairman:

Q. What track did you get him on, inspector?—A. On the Woodbine.

By Mr. Raney:

Q. The next case, please.

A. 'Nathaniel Hallman, on March 25, 1907, was convicted of stealing four thousand dollars from the Canada Furniture Company, and sentenced to Kingston penitentiary for two years. This man was employed as a book-keeper for that company. He admitted stealing that amount, also several other large sums, and nearly the whole of which was used for betting on the horse races on the Woodbine race track.'

Q. It was racing at the Woodbine?—A. Yes.

'Colin C. Harbottle on May 8, 1908, pleaded guilty to the theft of \$14,695.85 and was sentenced to four years in Kingston penitentiary. This man attended the Woodbine races daily and was a very heavy better.'

Q. Did you know that of your own knowledge?—A. Yes.

Q. Harbottle was, I think, secretary of the Toronto Club?—A. The Toronto Club.

Q. The principal club in Toronto, the principal professional club?—A. Well, I do not know about that being one of the principal clubs. The next case was that of:

'Douglass B. Findlay was employed as book-keeper and cashier for McDonald & Maybee, cattle dealers, Toronto, and while in their employ they claimed he appropriated money to the amount of twenty thousand dollars. On March 25, 1908, he was arrested on a warrant charging him in a specific case of stealing \$2,070, and on that charge the jury disagreed. This young man admitted to the detective when arrested that he had spent several thousand dollars betting on the horse races at the Woodbine Race Track.

He spent considerable on the American tracks as well, I know that of my own personal knowledge, because he was traced from Toronto to the American side, and back to Canada where he was apprehended and brought before the court. That case is still pending in the quarter sessions. The jury disagreed and he has never been tried on that case yet, he is out on bail and I have in my possession a diamond worth about \$800 that he had bought with some of the money; we recovered it from the customs, he having shipped it back from the other side.'

Q. Then the next case?—A. The next case is that of:

'John G. Ross, hotel sneak, on October 6, 1909, was convicted on five charges of theft and sentenced to three years in Kingston penitentiary on each

APPENDIX No. 6

charge, the sentences to run concurrently. He stated that his downfall was due to betting on the horse races. This young man held a responsible position before he commenced to gamble at the race-track.'

The next case is that of:

'Herbert Dore, who on the 11th November, 1909, was convicted on a charge of theft and remanded to appear for sentence when called upon. This young man belonged to Wingham, Ontario. He came to Toronto and secured a situation with the T. Eaton Company. That Company discovered that he was attending the Woodbine races and he was dismissed. At the time of his dismissal he had sixty dollars saved up. That amount he lost betting on the horse races at Dufferin Park, together with several other sums of money he had borrowed from friends. When he found he could not borrow any more money to bet he stole a bicycle and was caught in the act of disposing of it.'

Q. These cases are all within recent months?—A. They go back some of them for a period of 18 months. There is one here that just happened the other day. Harry Williams, aged 15, was arrested on January 15, 1910, for stealing from his employer, Mr. Sydney Brown, 33 Richmond St. East, Toronto, and was remanded to appear for sentence when called on. This boy stated that he had spent all his wages by placing dollar bets with a man who runs a hand book on the horse races on the open street, Victoria street being the street named. He then stole his employer's money to make good this amount he had lost, so that his parents would be kept in ignorance as to his gambling.

Q. Then there is another case which was conspicuous I think for certain reasons, and which occurred some years back?—A. This was a case I had some personal knowledge of, being that of a young man who got into difficulty, I knew him, having personally visited his house, and, of course I had in consequence a personal interest in the man. That was before I was placed in charge of the department, I was then an acting detective, this happened in 1899. Frank Tossell on August 20, 1899, was convicted of theft and sentenced to penitentiary for three years. This man was employed as cashier for the Freehold Loan Company, and while in their employment appropriated the moneys of the company to some \$8,000 or \$9,000. He had in his possession when arrested a memo. book showing the various bets he had made at the Woodbine amounting to nearly \$1,000. After the race meet he commenced betting in a pool room in Toronto Junction losing several more thousands. It was represented to the proprietor of that pool room that this young man had been appropriating his employer's money and he paid back into the court at the time some \$1,000. The man had been very well thought of by the company, and he had been sent out to Winnipeg to open up a branch there as manager. When the auditors discovered the shortage running up to some \$9,000 he was telegraphed to come back, and on his arrival was taken into custody. It was a very pitiful case on account of the suffering which his family had to endure. His wife was an American lady, she had a baby six weeks old, and on the day he was sentenced she, of course, was left without anything to depend on, and had it not been for the assistance that friends gave her whilst he was in the penitentiary she would have suffered more. He fortunately did well and was let out on parole after a while, and when he got out he obtained employment in Toronto and then of course he looked after his family, reporting to my department regularly. His wife, however, had a very sad time while he was in the penitentiary.

Q. This memoranda in the main refers to cases that have happened within the last few years, two years I think, there was one case in 1907.

Q. The cases for the most part occurred in 1909?—A. Yes.

Q. Does the memorandum cover all the cases that have come to your knowledge during the last two years?—A. No.

Q. Can you mention another case that occurs to you now?—A. Yes, it just came to my memory as I was walking home after I got the subpoena to attend here. I did not know what I would be asked at all. I have never been here before. It was the

case of, you might say, a well-to-do hotelkeeper, at least he was in comfortable circumstances in Toronto. He was proprietor of the Black Horse Hotel, and in 1904, that is six years ago, he was prospering and had money in the bank, so his wife said. At the time he was plunging rather heavily at the Woodbine; I knew him very well, knew him before he went into the hotel business, and his wife had a little money before they started. He was plunging at the Woodbine and got into difficulties. He then followed it up, betting up town, and got into serious trouble, and the next thing we heard of him he was doing up the jewelry stores on Yonge St. The firm of B. & H. B. Kent was done up by him.

Q. What for?—A. Diamonds. He got them on approbation at first. At Ambrose Kent's he got a number of diamonds there, and then he went into the firm of B. & H. E. Kent, and being known as a hotel proprietor he could get the diamonds without difficulty. Alfred Grimbleby was the man, he was proprietor of the Black Horse Hotel, and this occurred in 1904. 'A pair of diamond earrings four and seven-eighths carat, valued at \$800.' That was one lot of goods he got. Another one was from B. & H. B. Kent, a diamond brooch or sunburst valued at \$175. There was another diamond that he got from another store three and three-quarters carat, a very large stone, which I think was valued at close upon \$1,000; it was a single stone. Two of these he had got on simply the representation that he was the proprietor of the Black Horse Hotel and of course they knew him to be such. He had made purchases there before, and in one case—in the Ambrose Kent case—he made a deposit in the neighbourhood of \$50. He said 'I have not all the money,' but they said it was all right. Of course the next thing when he was wanted he was gone. He is still a fugitive from justice, we have never been able to apprehend him.

Q. He sold or pawned the diamonds?—A. We recovered some of them in a pawn shop, and the others in sporting houses or houses of ill-fame.

Q. What followed?—A. A short time afterwards there was a receiver put in charge of the hotel and his wife was put out of the hotel. She came to me and said if she could only save her sewing machine that she would be able to earn a living. However, she did not even get that. That fall she sent one of her children down to the office with a note to me. I went up to see her. She was in a room on Widmer street without any light. She said "My heart is broken, I have not a copper in the world, the children cannot starve and I would like you to try and get the money he deposited on those diamonds in the store of Ambrose Kent, the \$50." She said 'I have not any coal in the house, you can look for yourself, there is some bread'—and they were just using lard for butter—and she says 'I don't know what to do with my family. I said 'I will go to the shop and see if I can get this \$50, it may give you a start.' I went down to Ambrose Kent's store and the manager there at once took the matter up. He said 'certainly, there is the money,' and that was at once handed over to her. Mrs. Grimbleby got her boy into a factory on Lombard street and she is still working in a laundry, I believe, on Nelson street.

Q. That case never came into the courts?—A. It never came into court. We have never been able to get the man before the court.

Q. From your observation and experience, and of course you have had a lot of it, what would you say as to the character of the following of the racing men who go to Toronto for the Woodbine meets?—A. Of course where you have a large number of people assembled together you will always have to a certain extent an undesirable crowd following them. From a police standpoint they are mixed rather. We have the professional pickpocket, the confidence man, and of course with races there are the touts.

Q. Is there any other event that occurs in Toronto that brings together anything like the proportion of these elements that the Woodbine meets bring?—A. No. We usually have during our industrial exhibition a number of pickpockets, professional pickpockets come into our midst. We usually are pretty successful catching them, but they are not there to the extent that they are on the Woodbine.

APPENDIX No. 6

Q. Do you take precautions before the Woodbine meets, or about the time the meets are commencing?—A. Yes.

Q. What precautions do you take?—A. Well, of course, the detectives receive special instructions with regard to the undesirables who may perhaps come. We very often have advance information—not the kind that is advertised in the newspapers—but we have advance information from other police forces that there are a certain number of professional ‘con’ men and pickpockets coming and that they will likely put up at a certain hotel.

Q. And what about the women?—A. They usually follow the others or come along with them. Then we have information supplied——

Q. The women I mean are prostitutes?—A. Yes. Then we have in addition to that information given to us by thieves themselves who may be arrested. They will write a letter saying they want to get even with some of their friends and they give us information in that way. These persons may be arrested on their arrival in Toronto and the detectives may bring in sometimes fifteen and twenty from a hotel. If they are professional crooks I will say to them: ‘Now what do you propose to do? You can either stay in jail or get out of town.’ The result is they say: ‘Well we will get out of town. We will take the boat over to Niagara and you can see us off.’ The next boat the detectives walk down with them and off they go. These cases never come into court. Other men that we know to be very dangerous are simply taken and locked up and kept in jail until the finish of the races, or until after the exhibition is over. If we find them committing a criminal act in the shape of picking pockets, or working in a confidence game upon which we can establish a charge in the court then a specific charge is preferred against them.

Q. Then what do you know of the presence of these people—pickpockets, confidence men and prostitutes—on the Woodbine track?—A. I have not been very much on the Woodbine track for several years. I attended it probably for ten or twelve years every day on duty.

Q. Yes.—A. You take in front of the grand stand, that is the members’ part, and it is like what may be called a picnic, or it may be a wedding or a lawn party, it is so orderley.

Q. Are those disreputable people there?—A. No. They are confined of course to the betting ring. If there are any objectionable characters there they are usually taken into the police station in the building and sent up to another police station.

Q. When you were there, were the prostitutes permitted in the betting ring?—A. Well there are a few of them I believe yet, that is what my detectives report to me but they try to keep it as clear from that element as possible. I have seen of course these women betting.

Q. With the bookmakers?—A. Oh yes.

Q. At the Woodbine?—A. At the Woodbine meets.

Q. Do your policemen police the grounds?—A. Yes, the city police, are there always.

Q. And I believe Pinkerton detectives?—A. Yes for several years there have been a number of Pinkerton detectives there.

Q. Then, Mr. Duncan, speaking of the present law and the difficulties of enforcing it what have you to say?—A. We are up against a pretty hard proposition.

Mr. Moss.—Which branch of the law are you speaking of.

Mr. RANEY.—The law as applied to bookmaking on the race track in the first place.

The WITNESS.—I have not very much to do with the enforcement of the law, my connection with anything of that kind is securing evidence. If you will just permit me to state the circumstances of our last raid that we made in Toronto. It was about three or four months ago, I think it was the month of August. After a conference

between the chief constable and Sir James Whitney it was decided that the hand-book business in Toronto should be dealt with. I was called into the commissioner's office and the chief constable was there, Col. Grassett. I was instructed there by the mayor and the chief to at once——

Q. Proceed to make a raid?—A. No, to obtain evidence. That is the first thing we have to do.

Q. Will you tell me, inspector, what knowledge you had of the existence of the hand-book business in Toronto?—A. I was just coming to that. I secured evidence against some twenty-five or thirty places. The private detectives who were getting the evidence, sent in a report every morning stating they could secure evidence in at least a hundred cases. I thought if we got the ones that were perhaps doing the largest business down in the central part of the city, say twenty-five or thirty, that it was quite sufficient for the time being.

Q. Did Mr. Orpen ever make a statement to you as to the extent of the hand-book business in Toronto?—A. Yes.

Q. What was it?—A. It would be during the last summer some time. I often meet Mr Orpen in my——

Q. What statement did he make?—A. He said: 'You cannot commence to stop the hand-book business and put it down. There are at least five hundred of them in Toronto.' I said I did not know whether there were that many, but I thought from my own knowledge that there were at least a hundred.

Q. Then continue with the matter that you were speaking on.—A. Private detectives have to be brought in from the outside. In a case of this kind and we brought one man from Chicago, and we secured the necessary evidence. They would go into a cigar store or a barber shop and the man would say: 'You come outside and I will take the bet.' Then they would go outside and hand over the money there and the man would go back into his place of business. That was done straight along. And has been done right along, we meet with certain cases along that line, of course there are a lot go because it was not an offence to take a bet outside. We succeeded in raiding about 25 places and in the first case a conviction was registered by the police magistrate and an appeal was entered. The next case came on and a conviction was secured in that case also and others followed until there were nine or ten cases where the accused were found guilty and those cases were in every instance appealed immediately, and that appeal, as far as I know, has not been argued at all.

Q. Reserve cases were granted?—A. Reserve cases. As to the extent of the business which the hand-book does, the kind of business I mean by that is the booking by professional hand-book men, by the man who does it as a side issue to his business is a fair example. There (producing book) is the hand-book of a man that was arrested in that last raid, the entries in which cover eight days, and the hand-book will speak for itself. This man pleaded guilty and is still awaiting sentence. But we wanted his case to stand over until the appeal in the other cases has been disposed of. Alfred W. Wright, of 8 Shuter St., Toronto, is the man, he is a butcher there and was arrested on the 12th of August and appeared in the police court on the 13th charged with keeping a common betting house at that address, to which charge he pleaded guilty. We did not get him when the raid was made; these raids are made simultaneously, I have perhaps 100 men at different parts of the city, and at a stated hour, perhaps five minutes after twelve, my men just walk in so that one of the hand-book men cannot communicate with the other by telephone; we have to do it that way. In this case Wright got away from us. It was suspected he went into the next door and we kept watch there for five hours, and just about 5 o'clock in the evening an automobile, driven by an ex-policeman, drove up and Wright ran out and jumped into it and the automobile started off. They were not quick enough, however, and two of my men were waiting around the corner caught him and he had in his possession this hand-book which covers eight days' betting, and shows the amount he received each day.

APPENDIX No. 6

Q. You might read that?—A. I can give it to you shortly. On August 4th he took 47 bets and the amount of cash received was \$114; the next day, August 5th he took 49 bets and the cash received was \$205; on August 6th he took 51 bets and the cash amounted to \$321; on August 7th, he took 66 bets and the cash received was \$559; on August 9th, 51 bets and the cash, \$365; on August 10th, 51 bets and the cash received \$237; on August 11th, 52 bets making a total in the 8 days of \$2,328. If you will look at the hand-book you will find they are all small bets from the best of one dollar made by the boy working next door perhaps, or in the store, upwards, you will notice they are all small bets. It is not the professional man only that is doing hand-book making it is the man who is working it simply as a side issue to his regular business.

By Mr. Blain:

Q. Does that hand-book give the names of those who made the bets?—A. It gives the names of the horses and the amount of the bets.

Q. Does it give the names of those who made the bets?—A. There is a name given in each case, though not the full names, the name of the party making the bet is indicated by certain initials. If you will follow that up it will show the extent to which the hand-book business is carried on so far as Toronto is concerned, and a my estimation it has increased to a very alarming extent, and the number of young people who are getting into trouble on account of it indicates the evil which arises from its operation.

Q. On the basis of the number of hand-book men reported to be doing business in Toronto there would be some \$9,000,000 invested in that way alone each year?—A. Yes, that is right.

By the Chairman:

Q. On what horses were those bets made that you have just spoken of?—A. They were made on the American tracks, I believe. You see the hand-book man is a very bad man to my way of thinking because he keeps open every day. He keeps at his business every day and defies the police because when a person wants to make a bet he says, 'come out on the corner,' and there he books the bet. To show the absurdity of the thing and the way they treat us as far so that is concerned I might mention that a very prominent King's Counsel came into my office and said to me, 'I have instructed my clients that they can go down to the King Edward Hotel in an automobile put up a board showing the odds on the horses, and they can move about on the street until 5 o'clock in the evening and book bets and you cannot touch them at all.' That illustrates the difficulties we are up against in trying to enforce the law as it stands.

By Mr. Raney:

Q. Do you see any distinction in principle between race-track betting as carried on formerly in Mr. Orpen's pool room, Mr. Orpen, himself, of course being a book-maker?—A. Do you see any distinction in principle?—A. Well, of course, I would like to say that so far as Mr. Orpen's pool room was concerned, when he was conducting various places in the city and out of the city, I had something to do with it then, any man might put up his money there, and if he won he always got it; there is no question about that. Neither is there ever any trouble at the Woodbine. My men often report to me that there has been some difficulty about a ticket, but there is absolutely no trouble because we simply go to the man in charge of the bookies and the matter is immediately straightened out.

Q. So that on the basis of responsibility for bets Orpen's pool room is on the same basis as the Woodbine?—A. He is very reliable, and no doubt he will meet every obligation for any money put up with him whether it was put up at his uptown pool room or at the Woodbine.

Q. Of course you can point out the additional evil of these hand-book men which arises from their taking small bets from small boys?—A. As a general observer, having attended the Woodbine for many years, the evil I see down there is, this is my own judgment, the young fellow goes down there that cannot afford to bet, so far as the man that can afford to bet is concerned, of course he is different perhaps; but the young man that goes down there, it is looked upon as one of the social events of the season, and they get into the betting, they want to be in the swim, and the result is they lose their money and then resort to stealing from their employers and they get into trouble.

Q. What do you say about the status of this kind of thing, is it declining constantly or is it on the increase?—A. It is very much on the increase so far as the city of Toronto is concerned.

By Mr. Meredith:

Q. Is that the hand-book you are referring to?—A. I have no hesitation in saying, so far as the hand-book is concerned, that it is very much so, and it is alarming the extent to which they are going into that now; they are defying the law, you will find them standing on the street, they are not frightened, or going behind the back of the police to take a bet, they take it openly.

By Mr. Raney:

Q. Take the Woodbine, so far as the number of cases that have come before the courts are concerned, having reference to defalcations such as you have told us about from that memorandum, is that on the increase or otherwise?—A. I would say it is on the increase for this reason that more people attend the races, the city is growing rapidly and naturally we will have an increase and the bigger the crowd you have there, the more people will feel like putting up their money.

By Hon. Mr. Stratton:

Q. What would you say to confining betting to the race tracks?—A. Well, from my standpoint of course the abuse is always heaped upon the police; they say, 'You have a law for the rich and a law for the poor.' That is the way the man uptown talks. If the hand-books were done away with on the race tracks then we would have no hand-books up town and if the hand-books are allowed on the Woodbine we might as well have the hand-books up town because they can get their information from other cities; and the hand-book goes on all the year round.

Q. In your view the hand-book is simply bookmaking?—A. It is only bookmaking.

Q. Because the hand-book men as we have heard, and you understand I think, the hand-book man takes a man's money to-day on any flat races that are being run in Jacksonville to-morrow, not knowing the odds at which they will start?—A. Yes.

Q. Not knowing the odds?—A. Yes.

Q. To-morrow he comes back and if I have won he pays me according to the odds published in the newspapers?—A. Yes.

Q. That is bookmaking according to retail so to speak?—A. Quite so. It all originates, of course, in the racing on the tracks and then it is carried to extremes in the butcher shop, the barber shop, in the real estate man's office, and in the hotel behind the bar—everywhere you see.

Q. Now, Mr. Duncan, as an officer charged with the enforcement of the law of a good many years' experience you know the origin of, I suppose, a good many of the cases that come in the courts, come through your department. What are the evils that produce most of these cases?—A. Well, I think liquor produces the most.

Q. What relation would the horse-racing element of gambling bear to gambling there I would think from horse racing. The liquor comes ahead of the horse racing, but the betting and the pool room also bring them there. It is usually whisky and liquor, and bets and fast women that bring them under my observation when they get on a criminal charge.

APPENDIX No. 6

Q. Would you classify whisky and gambling as the two chief sources of the troubles that your department has to cope with?—A. Yes.

By Mr. Monk:

Q. Gambling generally?—A. Gambling generally.

By Mr. McCarthy:

Q. In every place?—A. Oh, yes.

Mr. RANEY.—Including horse racing, gambling, whether it is gambling off the track or on the track and every other kind.—A. Every other kind.

By Mr. Monk:

Q. Do you mean gambling in general?—A. Gambling in general, including horse racing of course.

By Mr. Raney:

Q. What relation would the horse racing element of gambling bear to gambling as a whole, is it the chief part?—A. It is the chief part as far so the individuals who get into trouble, are concerned, because it is always those who cannot afford it that commence to bet and they get behind and steal their employers' money.

Committee adjourned.

THURSDAY, January 27, 1910.

The committee resumed at four o'clock p.m., the Chairman, Mr. Miller, presiding.

Examination of Inspector Duncan continued.

By Mr. Raney:

Q. Suppose that a law is passed which will make all bookmaking, whether on the race track or off it, illegal, will there be any difficulty of enforcing other criminal laws, having regard to your experience?—A. I think there would be no difficulty at all if that were done.

By Mr. McCarthy:

Q. Likewise, I suppose, if the law is made that bookmaking off the race track, and bookmaking and pool rooms are illegal, and you expect bookmaking while the race is in progress on the race track there will be no difficulty in enforcing that law, or no more difficulty in enforcing it under the other circumstances.—A. Well, what I think, is, if there is bookmaking on the track there will be books made uptown, and of course we will have some difficulty in—

Q. Now, inspector, remember what you said this morning. You said you had succeeded in suppressing the pool room altogether, did you not?—A. Yes.

Q. You would succeed in suppressing the hand book altogether if it were not this question of place. You have stopped the carrying on of hand-books in a fixed place by your successful methods, have you not?—A. I do not know that it was stopped; it is more prevalent than ever.

Q. More prevalent than ever, inasmuch as they are walking round?—A. Yes.

Q. But if it were made clear that a man could not do such a business, no matter whether walking, standing or sitting, there will be no difficulty in suppressing hand-books?—A. I think we will put them out of business if we get a law to that effect.

Q. You do not think that in Toronto there is anything in the nature of book-making going on off the track, other than the pool rooms or hand-books, is there?—A. No, not that I am aware of.

Q. If it is made illegal to keep or make a hand-book off the race track how will it be difficult to enforce that law, wherein does the difficulty arise?—A. If we get that law I think we will pretty well keep them under control up town.

Q. Have you any complaint to make as to the business management of the Woodbine, that is any particular client, the Ontario Jockey Club?—A. The Woodbine is conducted from our standpoint in a very businesslike manner.

Q. Mr. Fraser is the gentleman who practically controls the situation?—A. Pretty much he is the gentleman we go to if there is any difficulty.

Q. And you find him reasonable?—A. Yes.

Q. And he is quite earnest in his desire to help you maintain order and keep everything as clean as possible?—A. Yes.

Q. And, as a matter of fact, everything is orderly and the proprietors are respected at that gathering as well as anywhere else?—A. Yes. If there is any disorderly conduct the offenders are arrested.

Q. In other words the conduct of the people who attend the Woodbine meeting is equally as good as that of the people who attend the Toronto exhibition?—A. Well—it is a different class, of course, I would hardly go that far.

Q. The conduct you observe on the track of the Woodbine is as good as it is at the Toronto Exhibition?—A. No, I would not go that far. I have been in there when I have been carried thirty or forty yards in the crowd where the betting was going on. You could not get out of their clutches, and between times there was a good deal of pocket picking going on. When that is being done you can understand a man losing money out of his pocket.

Q. Have you not been present, as I have at the gate of the Toronto exhibition?—A. Yes.

Q. When the crowds are trying to get in?—A. I have.

Q. And have you ever seen such a large crowd gather at the Woodbine as you have seen at the gate of the grand stand, or the gate of the exhibition: have you ever seen around the betting ring on the race track as large a crowd pressing for admission and pushing forward and backwards as you have at the place of admission of the Toronto exhibition?—A. I think the grand stand at the exhibition would have equally as big a crowd.

Q. And the pushing and shoving would be just as great?—A. Yes.

Q. And if a pickpocket were there he could operate just as successfully in that exhibition crowd as in the race course crowd?—A. If he was there.

Q. Of course the crowds at the exhibition are larger?—A. Oh, undoubtedly.

Mr. RANEY.—Ten or twenty times as large.

Q. Now, my learned friend, Mr. Raney, asked you—he said the law as at present interpreted is not satisfactory from your point of view?—A. It is not from my point of view.

Q. It ought to be made certain one way or the other?—A. One way or the other.

Q. That is if you are going to have a book-making law you ought to allow them to book-make in the most convenient way?—A. Yes.

Q. Walking about as at present creates disorder?—A. No doubt whatever about that.

Q. The crowd was more easily managed and more orderly when the bookmakers did their book-making in a businesslike way there?—A. Yes, I believe it was better that way.

Q. There is no doubt about it that the crowd was less extended?—A. They were all under cover unless there was an exceptionally big crowd and they moved a few of the boxes out on the lawn.

Q. Now, as a matter of fact, the crowd you spoke of as being in and about the

APPENDIX No. 6

bookmakers is practically only on two or three days of the meeting, the surging crowd?—A. Usually the first week is the heaviest.

Q. Am I not right in saying that the crowd you spoke of—at least this would be my judgment, you can correct me if I am wrong—the crowd you spoke of is generally on the day the King's Plate is run, the 24th of May?—A. The 24th May, and say on the Saturday.

Q. And the Toronto cup day, which is the following Saturday?—A. It is always a bad day.

Q. Those are the two crowds that are generally congregated there; the other crowds do not begin to approach one-half as large in size as on those two days, do they?—A. I would not say they were.

Q. I do not think so either. Now then, from the standpoint of police control. If the bookmakers were simply allowed to do business on that track while the race is in progress, but all touts, tipsters, hand-book and pool rooms were prohibited, you would have no difficulty in enforcing the law?—A. Of course, if you cut out the touts that relieves the situation considerably, because there are an awful lot of touts.

Q. We do not want to tolerate the touts or the tipsters. I am speaking for my client, and I can say that we do not want to tolerate hand-books, or pool rooms; we want people to be allowed if they go to our tracks and want to bet that they should not be obliged going around and seeking a friend, but make their bet in a businesslike way with the bookmaker there. You apparently take a great interest in this matter?—A. I see, of course, a great deal of the evil, owing to the nature of my department.

Q. You see all the evil that exists; at least all the evil that comes to light in the city of Toronto, you practically see it?—A. Precisely, the greater bulk of it.

Q. You certainly see it all and we get the particulars from you as to that later on. But what I cannot understand—if you can explain it to me I should be pleased to receive your explanation—is why if there are ten or fifteen young fellows go down to the race track together and if one or two or three of them want to bet they have got to say to their friends: 'I bet you one, two, or ten dollars,' that they have got to bet with friends who do not want to bet, and that it should not be permitted of those same men to go to a business man to make their bets according to the odds that are posted. Now, which do you think is the worst evil, if evil there be in any of them?—A. Well, I am not a betting man myself. I never bet any, although I have been going to that race track for twenty years.

Q. I am not accusing you of being a betting man, although I do not know that you would be any worse if you were?—A. I do not know, but I have seen so many that have been the worse of it.

Q. You have seen men who have been betting in stocks, have you not?—A. A lot, yes.

Q. You have seen the evils resulting from that?—A. Yes.

Q. You have seen men dealing in real estate and getting the worst of it. That is equally as bad?—A. Yes.

Q. You have seen the merchant who became involved either by bad management, or something wrong; you have seen the evils of that?—A. Yes.

Q. So you have seen all these evils, but what I want to get at is this, do you say it is worse for me to bet with a bookmaker than to inveigle a friend into betting?—A. I do not see myself there is much difference.

Q. You do not see very much difference?—A. No.

Q. Well, I may be obtuse, I do; I personally would prefer to bet with the bookmaker than to bet with a friend, whether he is willing or unwilling?—A. I cannot speak from experience, because I have never bet with either of them.

Q. You were called here as an expert to speak on that question?—A. I do not know what I was called here for.

Q. Have you not found in the course of your experience evils of gambling other than gambling with bookmakers?—A. Yes.

Q. Have you not heard of men sitting down with friends gambling with cards, and of the evils resulting therefrom?—A. Yes.

Q. And have you not heard of men gambling, buying stocks from one another, mining stocks and other stocks, and the evils resulting from that?—A. Yes.

Q. Have you heard of any case where evil has resulted from mining brokers selling mining stocks?—A. Yes, a great many of them.

Q. Have you read the history of betting in England?—A. No.

Q. You do not know of large bets that have been made in England between friends, and of men being ruined by defaulting therein?—A. No, but I have heard in Toronto of individuals betting between themselves and of one backing out and not paying his bets, and the case was brought up in the Division Court.

Q. Of course, there is no law to cover that; you do not approve of that, I suppose?—A. No.

Q. You will agree with me, I suppose, that if a man bets he ought to pay if he loses?—A. I think if he is an honourable man he ought to pay.

Q. There is no doubt of the honesty of the bookmakers at the Woodbine; they have always paid their bets?—A. There has never been any difficulty whatever; sometimes there would be a little dispute about a ticket or something of that kind, but that is immediately straightened out.

Q. Now, you do not say that all the evil that goes on regularly in the city of Toronto is traceable to betting?—A. Not by any means.

Q. And these cases you have cited to-day, eleven that have occurred during the last two years, are they all the cases of that kind that have come under your notice?—A. No.

Q. They are not? Well now, I want to know how many more are there?—A. I went through my books, I had only a short time and I did not go into all of them. I could get more statistic, but it would take a much longer time than I had at my disposal; I did not know what I would be asked here.

Q. How many more cases would there be?—A. Quite a few.

Q. Within the last two years?—A. Oh yes.

Q. How many would there be?—A. Oh, there would be—

Q. Would there be ten or more?—A. Yes.

Q. Would there be twenty more?—A. Yes.

Q. Would there be thirty more?—A. There would be fifty more anyway.

Q. Now, do you find that the misdemeanours existing or the misdemeanours brought to light each year, about the time that the race meeting takes place, are more numerous than those which come to your notice around the time the Industrial Exhibition takes place?—A. Will you just repeat that question, please.

Q. Do you find that the misdemeanours brought to light, that come into your court, are greater in number at the races than at the Industrial Exhibition?—A. There are more at the Industrial Exhibition that is as to the number of offenses committed.

Q. I believe, however, that if you looked at the amounts that you spoke of this morning you will find that the sums involved there are the larger, that is the amounts attributed to the Woodbine?—A. I can give you just exactly what our books show for fifteen years back if you would like to have it?

Q. I would. A. I have where every pocket was picked during the time of the horse racing, say, and during the time of the exhibition, and I can give it in condensed form for the years between 1905 and 1909 inclusive. The total number of cases during the races at the Woodbine, that is reported to us, not as occurring on the track alone but also throughout the city during the time of racing was 289; the total number of cases at the Industrial Exhibition during the same period, that is on the grounds, down town on the streets and at the railway stations was 342. The

APPENDIX No. 6

amounts stolen at the races and throughout the city during the horse racing was \$13,152.95; and the total amount stolen during the Industrial Exhibition was \$7,502.94. The cases of picking pockets at the Exhibition were all minor offences, they would be for small amounts of \$1, \$2 or \$3, while at the Woodbine they would be for larger amounts.

Q. That is accounted for by the fact that the pockets at the Woodbine have probably larger wads, more money in them than the pockets at the Industrial Exhibition?—A. Yes.

By Mr. Blain:

Q. Does that cover the same number of days in each case?—A. There would be a few days more probably for the exhibition.

Q. A few more days at the exhibition than there would be at the Woodbine. Does that cover the spring meeting of the Woodbine or does it include the fall meet as well?—A. The spring meeting. I did not cover the fall at all, the spring is the main meet.

By Mr. Raney:

Q. But you have an attendance of 20,000 in one case and in the other it is as high as 100,000?—A. There is no doubt about that.

By Mr. McCarthy:

Q. Now picking pockets in Toronto is not confined, I think to the race week or the Industrial Exhibition week?—A. No, but I will say that we sometimes have two or three months without a single case of picking pockets in the city of Toronto, they have not the opportunity of course. Sometimes we will have a few cases at the Union depot or over at the Island or down at Scarboro Beach.

By Mr. McColl:

Q. Do you have any at Eaton's?—A. Yes, but that is principally stealing from ladies' chatelaines.

By Mr. McCarthy:

Q. But the person that picks pockets seems to be in evidence all the year around?—A. Not in the city of Toronto.

Q. Why do you distinguish the stealing from ladies' chatelaines from pocket picking, what is the difference?—A. That is principally done by children; we have four children in at the present time and they admit 100 cases of having stolen out of ladies' chatelaines. You see they are not noticed in the crowd; they go around among the people and watch their opportunity to steal from the ladies' chatelaines. That is different altogether from the professional pickpocket. If the professional pickpocket is in our midst we will know it within 24 hours, because we have the result of their work reported to us and we are sure to get them sooner or later. There are only a very small portion of the cases of pocket picking at Scarboro Beach and at the Island that are recorded officially, because the amounts lost are generally small and the people losing them say they do not want to make any noise about it, there is no use getting their names in the newspapers by carrying the case into the police court, they do not want anything said about it and therefore there is no record kept of such a case.

Q. And there are a large number of people who imagine their pockets have been picked when they have not?—A. In some cases where we have followed the matter up we have found that the person making the complaint has lost it in betting instead of having his pocket picked and invented that story in order to cover up his loss. There were some cases investigated in which we found that to be the case.

Q. And sometimes a man might pull his hand out of his pocket quickly and unconsciously pull his money and drop it and then when he discovers his loss he thinks

1-2 GEORGE V., A. 1911

his pocket has been picked?—A. No doubt about that, and some people get very excitable over it.

Q. But that might happen anywhere in a crowd?—A. It might possibly happen in that way.

Q. Then I suppose you also have cases where young men may have been entrusted with money and may have had a desire to steal it and then blame it on betting at the races?—A. In that case he may say, if he gets caught: 'I spent it betting at the races,' when as a matter of fact he may not have done so.

Q. And he might say that his pocket had been picked when as a matter of fact it was not picked?—A. Oh, yes.

Q. So that we have to take all those possibilities into consideration when dealing with those cases you have referred to?—A. Undoubtedly, those facts that I have given you are what the men have told us when arrested. Whether those statements be true or not I do not know.

Q. They make excuses with a view to have their sentence mitigated. For instance in the Toronto police court for a long time a popular excuse offered by men who were accused of offences was, 'I am an old soldier.' That it was thought would lighten the sentence; that was the impression a little while, was it not?—(No answer).

Q. I would like to have an answer to that question, was not that the case?—A. Some people may have thought that would be the result.

Q. And if some people thought that it was a good thing to say that they had lost their money at the races and for that reason they had become defaulters in order that they might get a lighter sentence—that might be true for all you know?—A. Yes.

Q. Now, I would like to go over one or two of these cases you have referred to just to find out a little more definitely what they cover?—A. Take this man Victor Barber.

Q. What was his business?—A. He was a telegraph operator in the G.N.W. under Mr. Hogarth.

Q. Did he do anything else?—A. No. He was a brother-in-law of Alderman McBride.

Q. Do you know what his previous history was before he came to the police court?—A. We had a good many complaints; I think it was from his wife and Alderman McBride.

Q. He gambled a good deal I suppose?—A. He did.

Q. Then he was connected with the pool shops?—A. He may have been.

Q. I understand he has been working one?—A. Probably he had.

Q. You do not know whether that man had misappropriated funds before he commenced to bet or after he commenced to bet?—A. No.

Q. It may have been that he had stolen money from his employer and becoming desperate thought he might recoup himself down at the race track and went down there for that purpose?—A. It may have been as far so he is concerned.

Q. Just as he may have gone and taken a fling at stocks hoping to make good the money the next day or within a month or two. Then you went pretty fully into the case that woman Jessie Alexander who was said to be from Coburg?—A. She may have been from Ottawa.

Q. Was she a disreputable woman?—A. It was reported to us by the people in the house that she was all right.

Q. Is it usual to have diamond rings valued at \$500 in houses on Queen St.?—A. More than that on Queen St.

Q. But for a woman keeping a boarding house it does not sound well. You have the record of the case?—A. Yes.

Q. Was the house on Queen St. east or west?—A. East.

Q. How far east?—A. Well I could not tell you unless I—

Q. You do not find on Queen St. east boarding houses with the mistresses owning five hundred dollar rings?—A. Queen St. is a pretty wealthy street.

Q. It is?—A. Yes.

APPENDIX No. 6

Q. Certain parts of it are wealthy?—A. Yes, I wish I owned some property on it

Q. Where do you refer to the wealth of Queen street as being, in the east?—A. You take over the Don. A great many people—

Q. I do not want to go over the Don.—A. I mean east of the Don river. You take the Ontario Jockey Club, their property is all on Queen street east. You take away down east of the Woodbine, there are some of the very best houses on Queen street—the very best houses worth six and seven thousand dollars.

Q. I did not understand that that was the district you meant, if it is I withdraw what I said. I imagined you meant Queen street between the Don and the Woodbine.—A. Oh no, not by any means.

Q. Do you think it likely that boarding houses are likely to exist with boarding mistresses that have \$500 diamond rings in their possession?—A. Yes. I do not know that they make it a regular business of running boarding houses, but people will rent a room for the time being.

Q. You said this morning it was a boarding house?—A. Technically speaking a rooming house or a boarding house.

Q. Apparently it was not the first time that woman had bet?—A. I could not say that because I do not know anything about it.

Q. Would her conduct lead you to believe that this was the first time that she had bet?—A. Her conduct, when she was brought into my office she was very penitent and crying like a child.

Q. Did she take that diamond ring over to Fort Erie?—A. No question about that, and sold it to a man on the track. The man on the track brought it to Toronto and we got possession of it in Toronto.

Q. Did that not lead you to think that was not that woman's first offence?—A. I should think she was pretty well used to the track.

Q. So would I. You do not know whether she was an American or not?—A. I have just repeated what was advanced at the time she was in trouble. She may, as I have said, belong to Ottawa for all I know.

By Mr. Raney:

Q. You took the word of her counsel, Mr. Armour, for it?—A. Mr. Armour, and Mr. Robinette was also, I think, on the case.

By Mr. McCarthy:

Q. Does the same thing apply to Wm. F. Kerr? You say there were three changes of false pretences against him?—A. Yes.

Q. This man also attributed his downfall to betting on races. Where did he come from?—A. He was an American I believe.

Q. You do not know whether he was betting in pool rooms, or by hand books, or where it was?—A. Not unless I have my memorandum. I cannot carry them all in my head.

Q. Take the case of D. B. Findlay?—A. I know all about the Findlay case.

Q. Richard Bracken was arrested for house breaking and theft.—A. Yes, I believe he was. What year was that Mr. Raney?

Mr. RANEY.—In the month of April, 1908.

The WITNESS.—Was that when he was convicted?

Mr. RANEY.—Yes, convicted.

By Mr. McCarthy:

Q. Do you remember anything about him. Who he was or where he came from?—A. No, I cannot say that I can remember where he came from.

Mr. RANEY.—He was employed by McDonald & Mabee,

The WITNESS.—He was employed there.

By Mr. McCarthy:

Q. You do not know where he came to them from? Who are the members of this

firm?—A. They are gamblers, they bet very heavily and became bankrupt both of them. McDonald was a member of a very prominent firm one time but they went to the wall. These fellows said their employers sent them down first. There were two cases.

Q. You say these men say they were sent down to bet?—A. They did.

Q. They got the habit of betting and their downfall came and they commenced to break into the house and steal goods from their employers.—A. They simply had commenced taking money belonging to their employers. One got \$300 I think it was.

Q. And it turned out that McDonald & Mabee, the men conducting the business were betting more or less.—A. It turned out that they were habitual gamblers themselves.

Q. And these boys claimed that betting was responsible for their downfall?—A. That argument was advanced by counsel at the time.

By the Chairman:

Q. You say the employers themselves were gamblers?—A. Well I mean they were heavy betters at the Woodbine.

Q. On the track?—A. Yes, I know McDonald very well myself. I know him personally.

By Mr. Raney:

Q. They went to smash financially?—A. Yes.

By the Chairman:

Q. Was that the result of betting on the Woodbine largely?—A. I couldn't say that, I know McDonald gambled up town. Played a game of poker.

By Mr. McCarthy:

Q. They are dealers, are they?—A. In cattle.

Q. And their business methods were proven in this investigation to be of a very loose kind?—A. McDonald himself is rather illiterate, he is not a scholar.

Q. So these young fellows who were employed by McDonald and Mabee, the one explanation covers both?—A. That is in the case of Findlay.

Q. That all came out?—A. Yes.

Q. It would be equally true with reference to Bracken?—A. My recollection is that when Bracken was brought into my office he stated that the first time he went down it was his employers that sent him to bet.

Q. Of course that was a pathetic story to tell?—A. It may not have been true, but he did admit that he had lost this money—not at the Woodbine, he took his money away to Montreal. He was not prosecuted. There are a great many cases that have come under my observation where a prosecution did not follow.

Q. I quite realize that, that must be necessary in your position.—A. In a good many cases where the amount was very large, in some banks and other institutions, where they were anxious to have the money made good by the criminal's friends. I heard indirectly about these cases. Here there was no prosecution at all and the matter was fixed up.

By Mr. Raney:

Q. Some of the cases to which you refer are Woodbine cases?—A. Well, yes, there is one in particular that I know of.

By Mr. McCarthy:

Q. Do you hear of a great many such cases?—A. Yes.

Q. Where young fellows make default?—A. Some of them as high as \$30,000. They go away to a foreign country, but afterwards come back and it is made good.

Q. This happens more or less every week?—A. I would not say weekly.

APPENDIX No. 6

Q. Monthly?—A. I would not say that. Occasionally we hear of a pretty bad case.

Q. I am not speaking of very bad cases, but of persons who take a little bit of money and that is the end of it?—A. Oh, yes, there is no doubt about it.

Q. That is the kind of thing I am speaking of when I say it happens weekly or perhaps monthly?—A. It happens pretty often.

Q. These are not attributed to the Woodbine?—A. No.

Q. Now as to this man Granger, he was in Toronto when you arrested him, but he was arrested on information from New York?—A. We arrested him on information from New York.

Q. Was that during the race meeting?—A. It was.

Q. Did he attribute his downfall to attending the races?—A. We knew before he came here from the information supplied us by the police of New York city, where he was wanted, they had traced him to the different race tracks, and we were looking for him here, but we did not get him until a week after he came here.

Q. He was an American apparently following the races from track to track?—A. No doubt he was, he started on the American side and spent the bulk of the money before he came to Toronto.

Q. But he had stolen money before he started to waste it on the race tracks. He stole it first and then commenced to waste it on the track?—A. That was the information we got from New York.

Q. There is the case of a man who had stolen the money first and then spent it on the race track?—A. He might, for all I know, have come to the Woodbine for the purpose of making a plunge with a view of trying to get back what he had lost on the American tracks, that is for all I know.

Q. Would you look at your notes in reference to Kerr; you said this man attributed his downfall to betting on the races? Where did he come from?—A. I cannot give you any information where he came from, he was arrested at the Woodbine track by Detective Wallace.

Q. Will you read that again?—A. (Reads) "William F. Kerr on July 26, 1909, was convicted on three charges of obtaining money and committed to the Central Prison for one year. This man attributed his downfall to betting on the races." He did not say that it was at the Woodbine he had been betting, although he was arrested at the Woodbine.

Q. And he did not say whether the major part of his betting was on the track or not?—A. No, he simply was arrested at the Woodbine.

Q. What is the date of that conviction?—A. The 26th of July, 1909.

Q. When was he arrested?—A. He might have been arrested nine months before that, I could not say, we have that man Findlay who was arrested two years ago and whose case is not finally disposed of yet.

Q. And is he still in prison?—A. No, he is out on bail.

Q. What was the nature of the false pretences he obtained the money on, and was it anything connected with racing?—A. Unless I saw the information I could not tell you. If the officer who arrested him, Detective Wallace, were here, he could give you every detail.

Q. You cannot tell us whether it was false pretences in reference to his employment, or the races, or what it was?—A. No, not as far as that case goes.

Q. Who is this No. 8, Nathaniel Hallman?—A. He was employed as book-keeper by the Canada Furniture Company in Toronto.

Q. He was a defaulter there to the extent of \$4,000 you have said?—A. Yes.

Q. What did he tell you?—A. He simply said that he had used the money in betting on the races at the Woodbine.

Q. You do not know whether he had used part of this misappropriation before he commenced betting or whether he had not?—A. I do not know.

Q. And you do not know whether he made this misappropriation before or after he commenced betting?—A. No, I do not know.

By the Chairman:

Q. Which case was that?—A. Hallman.

The CHAIRMAN.—I know that case very well, I know the man.

By Mr. McCarthy:

Q. You do not know whether Colin C. Harbottle commenced his misappropriations before or after he commenced to bet?—A. No, I cannot tell.

Q. You cannot tell when he commenced his misappropriations?—A. I know Harbottle very well, this sum mentioned here is not the amount all told of his defalcations. This is the amount he took from the Toronto Club, but I know there were other amounts, some was taken from the Dominion government.

Q. Is it not a matter of fact that before you or I ever saw him betting he commenced his misappropriations?—A. I would say that from the time he was appointed secretary of the Toronto club he began.

Q. Then it was after he found the Toronto Club so easy, after he got this large sum of money that you first heard of him as a big bettor?—A. It was previous to the discovery being made by the club.

Q. But you never heard of Harbottle making a large bet until after he became secretary of the Toronto Club?—A. No.

Q. But it was after he got his hands on the funds of that club he commenced to make his big bets?—A. Yes, he got it from some place, and he got a good many dollars from the Dominion government.

Q. Then Findlay was one of the employees of McDonald and Maybee, cattle dealers, Toronto, and what you said in reference to that case was that the young man had been asked by his employers to go down to the horse races.—A. I think the jury took that view of it, and that is the reason they disagreed, they thought the employers were just as bad as he was.

Q. That they ought not to blame him for misappropriating their funds when they asked him to go to the races. Then John G. Ross, where does he come from?—A. He is an American.

Q. Where was he arrested?—A. In the Walker House...

Q. During the race meeting?—A. No.

Q. What had he been doing?—A. He was a pretty bad man, he got up the fire escape and into the guests' rooms and stole a lot of articles. We got the property and we also got property which he had stolen previous to coming here.

Q. All you know about him is what he told you?—A. It is the statement he made when he was arrested.

Q. But you think he is a pretty bad man anyway?—A. There is no doubt about that; I would say he was also a professional thief.

Q. Then as to the 12th on your list, Herbert Dore; he was convicted on the 11th of November, 1909?—A. Yes.

Q. And he came from Wingham?—A. He did.

Q. Had he been guilty of anything that had he stolen?—A. A bicycle.

Q. From whom?—A. I haven't the name, but I know that case very well; his father came down from Wingham, and I know about his being discharged from the Eaton Company.

Q. He was discharged from the Eaton Company after he had stolen the bicycle?—A. No, no; he was employed by the Eaton Company, and when they learned that he was going down to the Woodbine they dismissed him, and then he wandered around, and what he said was that he got a little behind; at the time of his dismissal he had some money saved up, and he lost it betting on horse races at Dufferin Park, and he also lost several other sums of money which he had borrowed from his friends. When he found he could not borrow any more from his friends he thought he could commence stealing, but he got caught the very first time he attempted it. That is

APPENDIX No. 6

the story he told his father, and the magistrate gave him another chance by remanding him for sentence.

Q. And the 13th is Harry Williams?—A. Frank Tossell I have here.

Q. Harry Williams I have here?—A. That is a different case; that is just a few days ago.

Q. You do not connect that with the Woodbine?—A. No, no, that is simply a case of taking bets in the open street.

Q. That is a hand-book case?—A. A hand-book case, I just put it here for the purpose of showing that the boys are at it the same as the men.

Q. That has been so, ever since the time of Adam and Eve, has it not? They have played at marbles, haven't they and other games—A. I do not think you would care to have boys at the Woodbine.

Mr. RANEY.—For what reason should a boy not go there if his father does?

Mr. MCCARTHY.—For the same reason that boys are not in parliament or other assemblies where men usually go, and because you restrain children from going to certain places, not because there is evil there, but because it is not good for them to go there. There are many places where their elders go that you restrain children from going, among other things for the purpose of preventing them becoming impudent and too forward. The fact that they do not go there is not to be taken as a judgment that applies in the opinion of the people to restrain them from going to these places.

Mr. RANEY.—I asked the question because no later than the day before yesterday a prominent horseman admitted the fact to me that he would not take his young son thirteen years old to the Woodbine as he would likely know that disreputable people go there and associate with clean people.

Mr. MCCARTHY.—Do you make the charge that the people who go to the Woodbine, the twelve thousand people who go there, are not clean people?

Mr. RANEY.—No, of course not.

Mr. MCCARTHY.—Then, what are you talking about?

Mr. RANEY.—A great many of them are not clean.

Mr. MCCARTHY.—Do you mean to say that everybody who goes to the Industrial Exhibition are clean?

Mr. RANEY.—Boys go there.

Mr. MCCARTHY.—Everybody goes to the race course.

Mr. RANEY.—Boys go to the one place but not to the other.

Mr. MCCARTHY.—It is altogether a matter of opinion.

Q. As to Frank Tossell, you know about that person?—A. I do.

Q. And as you described, it was a very sad case?—A. Very sad case.

Q. Do you know whether he started to bet before misappropriating this money?—A. I cannot say. His memorandum book shows that it was at the Woodbine he started. So he told me himself after he got out on parole.

Q. Do you know whether he had made any misappropriation before he started to bet or not?—A. No. He had some money of his own and another employee of that company got into it nearly as bad as he did; but Tossell was the man who stole all the money and handed it to the employees and took all the blame.

Q. I do not think you catch my question. Do you know whether he commenced to steal before he commenced to bet, or did he commence to bet after he commenced to steal?—A. I have only his own statement. He simply said he got behind. He went into betting and got the worst of it all the time. The other employees were borrowing from him and got him into a lot of trouble.

Q. He got behind and went in to plunge?—A. He saw he could not do it at the Woodbine and he went to the pool-room at the Junction and got deeper into it than ever.

Q. In answering the question of my learned friend, Mr. Raney, this morning you stated that this thing is on the increase?—A. Yes.

Q. And then you said of course the population of Toronto had very much increased?—A. No doubt about that.

Q. And with the increase of population—A. All crime—

Q. And misdemeanors?—A. Undoubtedly will be increased.

Q. Do you think the increase in Toronto has been in proportion to the increased population?—A. I do as far as the handbooks are concerned.

Q. Has the increase of misdemeanor or crime in Toronto during the last four or five years been beyond what you would expect by reason of the increase in the population?—A. No, I would not say that. Things in Toronto are, so far as serious crime are concerned—

Q. We have such good protectors that we are fortunate in that respect?—A. We try to get after them.

Q. I think you do and I think you get after them very successfully. Now it is to your knowledge that the increase in the attendance at the Woodbine has been going up very rapidly in the last four or five years?—A. I think so.

Q. Then do you think that the misdemeanors that follow the Woodbine have increased of later years beyond the proportion of increased attendance?—A. Well, I could not say that unless I went over my books for a number of years back.

Q. Well let me have your opinion off hand. Has the running of the Woodbine been the cause of an increase in the misdemeanors or offences at that period of the year beyond what you would expect by reason of the increased attendance there?—A. No, I would not say. I think I have got some statistics here that would show that last year there was not nearly as much as in 1907, I think it is.

Q. That was the hard time there.—A. There was a good deal of crime.

Q. I want to ask you this question: am I right in saying that in the endeavour to preserve order and to eject undesirables from the Woodbine track the executive officers are very careful and very arduous?—A. There is no doubt of that.

Q. They get the assistance of your own force?—A. Yes.

Q. And employ in addition some of the Pinkerton men?—A. I do not think it is necessary to have them, but they have them.

Q. Perhaps not, but there is a class of people who follow the races?—A. Yes.

Q. They go from one track to the other?—A. Yes.

Q. These Pinkerton men also go from one track to the other?—A. They do, yes.

Q. They can spot out the undesirables for your men?—A. And give us the information at night up town. They go to the hotels and see so many, and we pick them up in that way.

Q. They are of assistance to you?—A. Oh yes, there is no doubt about that.

Q. Then when you want to get the handbook men or pool room men you send for outside aid because your officers are known?—A. Certainly.

Q. So that the men whom the race track people bring into Toronto help you to spot these undesirables?—A. Yes. The Pinkerton men have always done that.

Q. You work together?—A. Oh, undoubtedly.

Q. There is no jealousy existing between you?—A. No jealousy at all.

Q. But when the time comes for the Industrial Exhibition, you do not have the assistance of these men.—A. No.

Q. Do you think that as a result of the joint work of your force and the Pinkerton men that you pretty well round up these undesirables during the meet?—A. I think so.

Q. You have not, in recent years, had very much complaint of pocket picking at the Woodbine?—A. Not a great deal.

Q. So that barring what evil may result from a man betting more than he can afford, you have got very little to complain about in the management of the Woodbine?—A. We occasionally have two or three get in on us if they are not known, but after they have been operating a few days we usually get them if they stay on the track. If we have a good case against them, if they steal diamonds or jewellery of any kind.

Q. You are not quite following me. What I am saying is, that barring the evil, if any, which comes from a man betting more than he can afford on the race track,

APPENDIX No. 6

you have as a police officer, very little to complain of in the management of the Woodbine track.—A. Very little.

Q. As I said before, the same evil does exist in other spheres of life than the race track.—A. Yes.

Q. You have had harrowing tales told you; you may get men who have overdrawn their accounts in a great many different ways than by betting on the race track?—A. Yes.

Q. And I suppose you will agree with me that so long as man is man those tales will be told.—A. No doubt they will.

Q. This morning you placed whiskey as the promoter, in your opinion, of most of the evil, is not that right?—A. Yes. Whiskey or strong liquors.

Q. Next you include gambling?—A. Yes.

Q. I think the third cause you said was fast women?—A. Yes.

Q. You do not seem to say that the third item has any connection whatever with the race track.—A. Oh, very little. Of course there are a few of these professional men that come in and work the badger game while the races or exhibition are on.

Q. There are no more come to the Woodbine than to any other large gathering?—A. In the fall of the year we never have anything of that kind, but in the spring meeting and at the exhibition we occasionally have a few professionals come in on us.

By Mr. Moss:

Q. I gather from listening to your evidence that, apart from your professional duties to enforce the law as it exists, you hold a strong view that all forms of book gambling are an evil.—A. Oh, I would not go that far. I never have been a betting man or mixed up in that, but I think that gambling as a whole is bad. The results from gambling, the families that are ruined, I have seen so much of that, that I really am not much—I am not much in sympathy with gambling, at any time.

Q. But you do not expect as a practical man to stamp that out by legislation do you?—A. If you want to stamp it out what will you stamp it out with, if you do not get legislation?

Q. What are the churches for and the homes?—A. Well, they are no doubt giving us backing too in helping to stamp it out.

Q. Do you not think that is the proper sphere for that?—A. I cannot speak for the preachers.

Q. You cannot say whether they are doing their duty in that regard or not?—A. No.

Q. And you cannot say whether they might not be better employed in trying to look after these things at the home?—A. I cannot say, I very seldom get to church myself, as I work on Sunday the same as any other day; I probably dictate 100 letters on Sunday. We have as much to do on a holiday or on a Sunday as we have on any other day, there are so many messages to be attended to it requires somebody to be there.

Q. I do not know whether Dr. Shearer will prosecute you for doing that or not, I am not blaming you for it anyway. Am I right in saying that you regard betting on the race track as an evil only when it is indulged in to excess by one who cannot afford it?—A. I think if it were done by people who could afford it, harm would not result from it; but the evil which is done is where young fellows bet that cannot afford it. They are always up against the professional sport, the amateur is, and he usually loses.

Q. You do not know much about that side of it, do you?—A. Not a great deal about it.

Q. And it is just as bad for the young men to bet with the amateur as it is for him to bet with the professional?—A. What I mean by 'professional' is the hand-book men, they are professional men, but people that go down to the Woodbine for the purpose of betting, they go there for the express purpose of beating the hand-book men if they can.

Q. You mean the bookmaker?—A. The bookmaker.

Q. When we speak of handbook men we are referring to the man that bets on the street on races run on foreign race tracks?—A. Oh yes, the man who bets with the bookmakers expects to win his bet and the bookmaker who takes his money also expects to win.

Q. Oh no?—A. I understood that the bookmaker expects to win every time if he can.

Q. You were not here yesterday, were you?—A. I was not.

Q. And you did not hear the opinion expressed by your Chief, Colonel Grassett?—A. No.

Q. He seemed to have a strong opinion that it would be better to do away with betting altogether?—A. I am not responsible for what he says.

Q. What is your opinion?—A. I think if betting could be done away with altogether it would be a Godsend to the country.

Q. Do you agree with him that you do not think it can be done away with by act of parliament?—A. I think it can be done away with.

Q. You think it can?—A. I think it can; you will not eliminate it entirely, but you will get it under control and save a great many people from being ruined.

Q. Whether it is letting with the individual or the professional bookmaker?—A. I do not think betting between individuals would amount to very much, it would not have the same results.

Q. You think not?—A. No, but when you make it a profession it is different.

Q. And you do not agree with your Chief in this matter?—A. I do not know what he said.

By Mr. Raney:

Q. You spoke of families being ruined by gambling; have you known of a great many cases that have come before you in your capacity as a police officer?—A. Yes.

Q. How many scores or hundreds of cases would there be?—A. There would be a great many; but of course, mind you, in the case of pretty nearly everybody that gets into trouble their families are ruined. We handle 7,000 or 8,000 criminals in the course of a year and about 19,000 persons appeared in the Police Court this year, but the majority of those of course are minor offences. In every case where a serious crime is committed the family is ruined.

Q. And the primary cause, you say of offences, is drinking, the secondary cause being gambling?—A. That is usually the story. When the mother or the father comes in and says 'Why did you do this?' the answer is that 'it was drink, or gambling, or I went away with a woman.' Perhaps the incitement was horse racing, there is always some excuse why they committed the offence.

By Mr. Counsell:

Q. In regard to the pool rooms, we say that in betting, a man who puts up his \$2 or \$1 in those pool rooms, is 'playing the races, that is the expression used?—A. Yes.

Q. I want to know now in regard to a bookmaker, do you have any knowledge of the way they make up a book?—A. No.

Q. As to the percentages?—A. I have heard it explained in the police court, but I could not follow it. This hand-book which I have here was found in the possession of a man who was arrested, but I could not give you any details, there are a large number of bets there, but I do not understand how it works out.

Q. If there were two horses in a race the one at 4 to 5 and the other at 5 to 5, that is even money whatever horse wins the bookmaker makes \$1, does he not?—A. I do not understand.

Q. It is not a matter of knowledge to you?—A. I do not know how they manipulate it, but I understand that one method is that the bookmaker gives out false information. A man with a big roll of money in his hand rushes up to the bookmaker and

APPENDIX No. 6

puts it on a certain horse, and all the crowd behind him sees which horse he is backing and they make a rush to put up their money on that horse as well. That is one of the tricks we have to deal with, the man in question is putting up the bookmaker's own money and deceiving the people. I never saw any Canadian bookmaker have a tout working in that way, it is American bookmakers that do that. Then there are touts who have their pockets full of tickets, betting tickets which can only be supplied them from one source.

Q. That is the bookmaker's tickets?—A. Yes, they are for large sums, and he pulls them out of his pockets and says, 'These are the bets I have put up'; of course, the ticket is 'phony'; they are made out on a horse that has no chance of winning. These tickets are always on the American books, and sometimes we have a tout brought in with several hundred tickets on him marked in that way.

Q. The honest bookmaker would not do that? Of course, they can get those tickets at any printer's?—A. Well, I do not know where they get them unless they get them from the bookmakers. The Pinkerton men know these touts, and they come and tell us that so and so has a lot of tickets and we take the man in.

Q. How many of those touts are there at the races?—A. Sometimes we have 15 or 20 a day; we have that many touts locked up in one day. Of course, they would not be locked up on the track, but we pick them up in the hotels, and sometimes the bookmakers themselves give us information about these touts, who do a great deal of harm so far as misleading the public is concerned.

By Mr. Monk:

Q. The observations you have given us to-day cover what period of time?—A. I went back on my books, and I called about twenty detectives into my office and went over with them these various cases I have brought down here covering a period of two years, I think. I went through the books, but we did not bother with the little petty cases; I was doing it for Colonel Grassett; I thought he wanted something before him so that he would know what he was talking about. I did not go back beyond that; there are only one or two cases that I do not know of my own personal knowledge. These other cases that I spoke of, I was doing outside work at the time and I know about that jewellery case: I handled that case of that man at the Black Horse Hotel.

Q. Those notes you have given us here to-day, were they compiled at the time the arrests were made or recently?—A. No, just before coming down here.

Q. There were no notes made at the time these men were convicted?—A. No.

Q. Are they compiled from your own memory or are they compiled from notes of record?—A. No, I got them from my men; I asked them from their memories, and I got them in that way. We have very many cases so that I could not possibly remember them all, but each detective could speak definitely as to each of these respective charges, if he were here, as he followed the history of the man who got into trouble.

Q. What I wanted to know was whether these admissions were made to you, or to some of your men at the time?—A. The most of them were made in my own office. When the detectives arrest a man they bring him into my office, and if it is a serious matter his statements are usually taken down in shorthand by the official shorthand writer. That is, if it has anything to do with the criminal charge. That evidence would only be taken down, or the statements, as far as the criminal charge was concerned.

Q. I want to know whether all these admissions were made before yourself or some of your men?—A. They are not all made before me.

Q. You say the most of them were?—A. Most of them were, but they were not all.

By Mr. Monk:

Q. And these notes were compiled from your own recollections? And the recollections of your own men?—A. Of the detectives, that is quite true.

1-2 GEORGE V., A. 1911

Q. Would you be able to tell the committee what, during that same period of two years has been the proportion of offences, such as embezzlement, attributable to stock speculations, personal extravagance or to cards, or to other causes such as intemperance or the frequentation of women? You have given us eleven cases, and I would like to know if you could tell us the proportion of cases of embezzlement.—A. Yes, these eleven cases would be a very small proportion of the number of men who have got into trouble in Toronto.

Q. Is it not a fact that a very large proportion is attributable to stock speculation? —A. It is. There is quite a large proportion there.

Q. And a great deal is attributable to intemperance, you said that?—A. Yes, a great deal to intemperance. It is generally intemperance; in pretty nearly every case what causes a man to fall is drink. In pretty nearly all my experience in the detection of criminals for twenty years, the story is always liquor. That is what they start with and of course they go from bad to worse. There would be a very much larger proportion fall from liquor than would from horses. Of course there are so many different branches, stock speculation and playing pool, and that kind of thing—different ways of gambling.

Q. Have you a report published in the city of Toronto containing the criminal statistics of that city? I do not find those figures in the Departmental blue book issued by the Department of Justice. Have you some report where we would find all the convictions for embezzlement?—A. The Chief Constable's annual report, I think, contains that.

Q. I think so.—A. No doubt they would have a copy here. Col. Sherwood would most likely have a copy.

Mr. RANEY.—We could secure one if necessary.

The WITNESS.—Yes, without any great trouble.

By Mr. Monk:

Q. There is another question that I wish to ask you, and it is this: supposing that bookmakers are abolished but that it remains perfectly legal to bet on the race track?—A. Yes.

Q. Do you think there would continue to be a great deal of betting, have you any doubt about that?—A. I think there would be a good deal of betting, but if you give us a law, and make it perfectly clear, to crush the handbook men in the city of Toronto, I am satisfied that we could put them out of that city.

By Mr. Raney:

Q. Between the handbook and the bookmaking men you distinguish?—A. Yes.

By Mr. Monk:

Q. I mean, for instance, if the condition I just mentioned existed, the bookmakers would have the right to go upon the track?—A. Certainly.

Q. Although not in the way they do now; private individuals could bet as much as they liked. Would there not be a great deal of betting?—A. There will be considerable betting there, there is no doubt about it. It does not matter what law is passed, I think there will be betting.

Q. I mean, supposing the law would not forbid private betting, there would still be a great deal of betting; you have no doubt about that?—A. I think there would be considerable betting.

Q. Probably a great deal of betting on credit?—A. There might be.

Q. Is it not possible that men would be induced to bet larger amounts on credit? —A. Than if they had to put their money up?

Q. Yes?—A. Some men, if they get excited—some of our best people when they get excited do some very foolish things in the shape of betting. I have a good opinion of the class of people and the different standings they have in society that

APPENDIX No. 6

do bet, and it is surprising the intelligence you know that they have in other matters, but when it comes to betting, they just completely lose their head.

Q. There is always a great deal of excitement connected with betting?—A. Yes, always.

Q. And a man in a state of excitement may be liable to bet large amounts?—A. Yes.

Q. Which he may not have upon him and be obliged to pay the next day?—A. That is right.

By the Chairman:

Q. You have said in reply to Mr. McCarthy that in the case of all these persons that you have mentioned that while they tell you that the cause of their downfall was betting on the race track, that possibly they were not telling you the truth. Have you any reason to believe that they were not telling you the truth when they made that statement?—A. No, I have no reason as far as that is concerned.

Q. Could they have had any object in lying to you as to that matter?—A. I don't know that they would. I cannot see that they would have any object unless it was that they thought it might mitigate their sentence some.

Q. Would it be likely to mitigate their sentence if they had stolen money to bet on horses?—A. It would not with our police magistrate—that is with Col. Denison—with some of the others it might.

Q. There would be no real object to be gained by telling you what was untrue about it?—A. No.

Q. You have said that the eleven cases that you have spoken of were cases that you just picked up pretty nearly at random, most of them during the past two years?—A. Yes.

Q. There would have been more if you had closely looked into it?—A. Oh, undoubtedly, if I had taken the books up and picked them out. We have about 9,000 reports a year.

Q. You would then have got a very much larger list?—A. We had something like over 9,000 reports last year. We would have to go over our books and pick them out.

Q. If you had done that you think you would have had a very much larger list?—A. No doubt whatever about that.

Q. Of men who have got into trouble betting on the race track?—A. There is no doubt about that whatever.

Q. Have you any reason to doubt that there are a very large number of people who get into trouble by betting on the race tracks and who do not come into court and do not come to your knowledge at all?—A. A good many. I know quite a number.

Q. There would be a large number of cases that you do not know of and never heard of?—A. Never heard of probably.

Q. Now, Mr. Monk has asked you about private bets. There is no doubt but what private bets would be made even if this Bill went into force. We do not seek by this Bill to prohibit private bets; in the first place because we could not do it, we could not accomplish that object even if it were thought wise to prevent it. Do you think that any very large amount of crime in the way of embezzlement and that sort of thing, such as you have spoken of, would result from private betting between private parties without any bookmaker or anything of the kind?—A. Well, of course, we have never had such a law, but in my judgment, of course, it would save a great many families if we had it.

Q. You think it would prevent a great deal of crime?—A. A great deal of crime and would save a great many families.

Q. In most of the cases that you have spoken of, and most of the cases that have come to your knowledge, have most of them been the result of betting with book-

makers, or have they been the result of private bets?—A. With the bookmaker on the race track or the hand-book man up town.

Q. In almost every instance that has been the case?—A. Yes.

By Mr. Raney:

Q. Have you ever had cases of trouble that arose from bets made between individuals?—A. I never have, but I have heard of cases being brought up in the Division Court.

By Mr. McCarthy:

Q. Has the individual betting on the race track amounted to anything?—A. I do not think it has.

Q. Can you give us any better reason for cutting out by legislation the handbook man up town than the bookmaker on the track? Is one worse than the other, or are they in the same class?—A. They are pretty much in the same class, I would say.

Q. You can see no particular difference?—A. No, if it is right to bet down at the Woodbine, I would say give them the right to bet up town, that is if you are going to allow it at all.

Q. Now, as to the bookmakers, are the bookmakers that are on the Woodbine from time to time principally Americans or are they largely Canadians?—A. Principally Americans.

Q. They are principally Americans?—A. Principally Americans, and they are not the same type as our Canadian bookmakers at all.

Q. Now, Inspector Duncan, as a hard headed man of affairs, and having frequented the Woodbine from year to year, from what you have witnessed there, do you think that the main object which is in view there is the encouragement of the breeding of horses, or is it for the sake of the sport and the betting? If you could form any opinion what would your opinion be?—A. I do not know anything at all about the breeding of horses, although I was born on a farm; that was not the kind of horses we bred.

Q. Perhaps you would not like to hazard an opinion of that kind, but does it look like an institution to encourage horse breeding, or to encourage betting and to encourage sport?—A. I think it is to encourage sport, it is looked upon as the great social event of the season, everybody saves up his money to go to the Woodbine, and they look forward to it for months before it comes.

Q. It is a sort of an annual 'blow-out'?—A. Yes.

By Mr. McCarthy:

Q. I do not know that you realize what Mr. Miller's question and your answer mean, with regard to the handbook it operates every day in the year?—A. Yes.

Q. By means of the handbook men can go into betting that never saw a race course?—A. I could not say that.

Q. Is it not to your knowledge that boys who do not go to the Woodbine go to the handbook men?—A. The boys would not go to the Woodbine, they would not go to the race track.

Q. Is it not true that there are men go to the handbook men to bet day by day that have no interest in horse racing at all?—A. There is no doubt they do.

Q. Do you not think that if you confine betting to the race track, by the bookmaker on the race track, while the races were in progress, it would bring about a better situation than you have now, when the handbook is allowed to go on every day?—A. There is no doubt it will better it, there is no doubt if you cut out the handbook up town it would be a step in the right direction in my judgment.

Q. Then I must have interpreted your answer to the Chairman wrongly, if that is your opinion, because I understood you to say you could not see any difference between allowing the handbook to operate all the time and allowing bookmaking on the track whilst the races were in progress.

APPENDIX No. 6

Mr. RANEY.—He has never said that.

Mr. MCCARTHY.—That must have been obvious from his answer.

By Mr. McCarthy:

Q. The Toronto meet never goes on for more than 20 days, does it?—A. It must be more than that.

Q. Thirteen days in the spring and seven in the fall?—A. Yes, it is about that.

Q. And it would be a decided advantage, in your opinion, if you stopped the handbook from going all the time and confined the betting to the race track while the races were in progress?—A. There is no doubt that would be an improvement.

Q. You would not care about having the handbook and the pool room going on all the time, and the betting on the race track going on all the time?—A. No.

By Mr. McColl:

Q. I understand from your statement that you consider the Woodbine races are conducted for the purpose of sport, racing, that is the object; it is a society event and a sporting event?—A. That is my own private view.

Q. I will leave out the breeding question altogether. Now then it is claimed that betting is a necessary incident to the success of the sport. Do you understand that to be a fact?—A. I do not know whether that is so or not.

Q. We will go a little further, the class of people that go to the Woodbine while the meet is on are largely a class that do not in any way frequent any other place where betting takes place; a large number come from the surrounding country that perhaps never bet during the whole of the year except at that meeting?—A. Yes, there will be more of that class.

Q. That is those that come there for the sport and take part in the betting?—A. In the betting.

Q. As a part of the sport?—A. Yes.

Q. And the majority of the bets that take place at the track are small bets?—A. Oh, no—well, the majority of them are.

Q. That is the majority of the people who go there bet small amounts, \$2.00 and \$5.00 and the like of that?—A. Yes.

Q. And the large wagers are confined to comparatively few, probably the horse owners?—A. And others sometimes, they get into that state of excitement that they bet heavily.

Q. We will say that supposing in the city of Toronto the betting on the horse races were confined to betting on races on the track for only 20 days during the whole year, and the betting on all other kinds of horse racing were eliminated in the pool rooms and the handbooks all through the rest of the year, would not that restriction minimize very much the existing evil?—A. It would no doubt be a big improvement on the present state of affairs.

Q. And under conditions of that kind would you expect many evils to arise during the 20 days' racing in the year?—A. We have never tried it, and of course I could not say. Of course if it cuts out any gambling it would be an improvement.

The CHAIRMAN.—That is what you meant in answer to Mr. McCarthy's question?—A. Certainly, if you cut out any of it, it would be an improvement.

By Mr. Moss:

Q. If the law is changed so as to permit of betting between private individuals and the bookmaking is prohibited, is there any machinery that you know of for distinguishing between the amateur individual bettor, and the professional individual bettor?—A. No, sir, I could not say there is. I think of course, if there were any complaints made that there was a professional in there doing business that we would get after him.

Q. But in that case it would simply be a matter of spying on each individual

there, so to speak?—A. We would simply say that if a man were found to be making his living by gambling alone he would be a vagrant.

Q. But you would practically have to spy upon everybody who made a bet at the Woodbine?—A. Not unless complaints came in.

Q. But would it not be that everybody who made a bet at the Woodbine would be liable to be watched if anybody suggested to the police that it was desirable to watch him, that is if he were betting and was suspected of being a professional bettor. Anybody would be liable to be watched under those conditions?—A. We would require to have something more definite than that for my part. I have not charge of the enforcement of the law with regard to betting; there is another department for that entirely. I am only called in from time to time to assist in preserving the law.

Q. I was asking you about the means of distinguishing between an amateur and a professional bettor. How are you going to distinguish? You have not thought that out, have you?—A. No, I have not, I have not been asked to.

By Mr. Monk:

Q. Have you any knowledge of how the odds are established in the case of the hand-book man, and in the case of the pool room, and in the case of the odds established by bookmakers on the race course?—A. I cannot answer that, because I do not understand it.

Witness discharged.

Dr. A. W. BELL, Winnipeg, called and sworn.

By Mr. Alex. Smith:

Q. What is your occupation in Winnipeg?—A. I am manager of the Winnipeg Industrial Exhibition.

Q. How long have you been manager up there?—A. Four years.

Q. Previous to going to Winnipeg to become manager of the Winnipeg Exhibition, had you any experience in similar work?—A. I was with the Toronto Exhibition some 18 years.

Q. And what was your occupation in connection with that?—A. I was assistant manager and superintendent of the live stock, poultry and dog departments.

Q. What are the main features of your exhibition at Winnipeg?—A. Agriculture, manufactures and the attractions.

Q. What are some of your attractions?—A. Racing, vaudeville and fireworks.

Q. In connection with the racing, you mean horse racing?—A. Horse racing, yes.

Q. Why do you make horse racing an attraction for the exhibition?—A. To help bring people into the exhibition.

Q. In addition to the fees that you collect at the gate by getting a large crowd in that way, do you make anything more out of horse racing, anything more than by the increased fees at the gate or entrance caused by the increased number of visitors attending and the increase in the grand stand fees?—A. We charge a regular entry fee for each of the races, and sell the book-making privilege.

Q. What fee did you get last year in connection with the book-making privilege?—A. \$5,100.

Q. By having those attractions and having the income from gate and entry fees and grandstand admissions and \$5,100 what advantage is that to you?—A. We are enabled to offer larger purses. We get a better class of horses and more of them and are enabled to offer better premiums in the other departments of the exhibition.

Q. You use the funds obtained by this attraction to help the exhibition generally?—A. Yes.

APPENDIX No. 6

Q. Now what class of horses do you encourage the people to bring there; are they American or Canadian?—A. Both. Well, that is, we offer purses for Canadian bred horses.

Q. From anywhere in Canada?—A. From anywhere in Canada.

Q. Have you any special purses for horses bred in the West, I mean in the three prairie provinces?—A. Yes.

Q. In connection with the racing at the Winnipeg fair do you find the fact of having races there causes more trouble to keep order?—A. No, sir.

Q. Have you had any complaints from the Chief of Police or other officers?—A. No, sir, not since my time.

Q. Not since your time at any rate?—A. No, sir.

Q. How is the exhibition managed; who comprise the directors and how is the institution supported?—A. The association is a joint stock company, but according to the charter no dividends can be declared to the shareholders. The Board of Directors is made up of thirty-three, seventeen of whom are elected by the shareholders, seven are elected by the city council from themselves. Then the other associations elect a representative who is also a member of the board, such as the Cattle Breeders' Association of Manitoba, the Sheep, and Swine and Horse breeders, the Poultry and Dairy and Horticultural Associations. The Department of Agriculture has two representatives on the board. I think that comprises the list.

Q. All classes of the community are represented on the board and the exhibition is conducted practically under their supervision or under the supervision of their officers?—A. Yes, sir.

Q. During all the time you have been there, there has been no complaint from any quarter in regard to your conducting horse races in connection with the exhibition?—A. No, sir.

Q. Does the fact of having race horses at your exhibition tend to the better development of saddle horses or light horses in the West?—A. Of course in the West—in Manitoba especially—we have more of a standard bred horse, of the standard bred class, and we have a very large number. I think it is admitted that the class of road horses in Manitoba is possibly as high as in any other province of the Dominion.

Q. I obtained some figures to-day from the Census Department. On the 30th June, 1909, there were in Manitoba 237,161 horses; what percentage of these do you think would be the standard bred, the heavy horse?—A. The standard bred horse.

Q. Yes?—A. I have not the slightest idea.

Q. Have you ever had any trouble in connection with betting?—A. No, sir, not in my time.

By Mr. Raney:

Q. How long have you been selling the bookmaking privileges?—A. They sold them before I went there and it has been continued since I have been there.

Q. How long have you been there?—A. I have been there four years.

Q. Are the bookmaking privileges sold to the bookmaker direct or to a concessionaire?—A. The bookmaker direct.

Q. One bookmaker?—A. One bookmaker.

Q. Who sublets privileges?—A. He has the privilege to do so if he wishes.

Q. And you get \$5,100 for that?—A. \$5,100.

Q. Does that include the right to sell racing information by telegraph to other cities?—A. We do not furnish that.

Q. That is not done?—A. Not that I know of.

Q. Is there a ticker in the grandstand?—A. No, sir.

Q. How is the bookmaking carried on, is it done in booths?—A. Yes, sir.

Q. In that respect you do not trouble yourselves about the decision of the courts?—A. No. At least as long as the police do not interfere, we do not interfere.

Q. And they have not interfered?—A. And they have not interfered.

1-2 GEORGE V., A. 1911

Q. You do have the facilities and you make your bets in comfort?—A. I suppose so, all those fellows who bet.

Q. And the Winnipeggers do not want to have their clothes torn off them to bet?—A. No.

By Mr. Smith:

Q. Have you had any applications from people in the United States desiring the use of your track?—A. Yes, sir, we had two this year and the Board refused to grant them.

By Mr. Raney:

Q. Refused to grant what?—A. To grant the privilege to these professional book-makers of holding races on our exhibition track.

Q. The privileges you do grant are to a Winnipeg man?—A. To a Canadian.

Q. Is he a Winnipeg man?—A. No, sir.

Q. Where does he live?—A. In 1909 it was a St. Thomas man, in 1908 a Winnipeg man, and in 1907 and 1906 a Toronto man.

By Mr. Smith:

Q. I think Mr. Raney misunderstood the question I asked. It was this: have you had an application from outside people to be allowed to run your track for racing purposes when it is not in use by your association?—A. Yes, sir.

Q. And you have refused it?—A. We have refused both of them.

Q. The track is only used at Exhibition time for your own purposes?—A. Yes.

By Mr. Sinclair:

Q. Why did you refuse the use of your track?—A. Because we felt—we did not know exactly—that they were these professional gamblers from the United States.

By Mr. McColl:

Q. Then do I understand from you that you find no evils in Winnipeg resulting from the betting that takes place on the race track?—A. I do not know of any myself personally, and I may say I have never heard of any.

By Mr. Raney:

Q. How long is your meet?—A. Six days.

Q. Is it in the fall?—A. No, in the middle of July.

By Mr. Blain:

Q. Just one meeting a year?—A. Yes, sir.

Witness discharged.

Dr. N. S. INGLES, Winnipeg, called, sworn and examined:—

By Mr. Smith:

Q. You are a resident physician of Winnipeg?—A. Yes, sir.

Q. And Chief Coroner for the province of Manitoba?—A. Well, I am the coroner, I suppose—I do most of the coroners' work for Manitoba.

Q. Previous to having moved into Winnipeg, had you any previous experience of western life?—A. Yes, sir. I have lived in the west since 1879, thirty years.

Q. In what parts of the west?—A. Principally in Alberta—what is now Alberta, but what was formerly the Northwest Territories—in the Edmonton district and Calgary and away north to the Peace, all through that country.

Q. What was your occupation?—A. At that time I was engaged in ranching, used to raise horses, and so on.

APPENDIX No. 6

Q. Have you kept up any of your interests in the west since that time?—A. In the western country? Oh, yes, to some extent, I have never dropped away from it. Just in that connection, if I may be permitted—possibly it will shorten my examination—I would say what I have got to say in this way: that the country—we have just within very recently, when this Bill came up, had some meetings there amongst the men who are interested in horse breeding. We live in a different country altogether from the east here. We live in a country where the saddle horse is an absolute necessity, and not only a saddle horse, but a good saddle horse. We live in a country of vast distances. In the ranching business good saddle horses are essential. You cannot work with cattle, wild cattle at all unless you have got something underneath you that will carry you and carry you fast and far. And we consider that if stringent legislation such as this is passed it will not only result in the deterioration of our saddle stock, but also in the west where we breed a great many standard bred horses, trotting horses, and we think it would result also in decreasing the interest in the breeding of that stamp of horse. But it is of a special importance to us with regard to the saddle horse, as we hope to be able to build up a great industry, those horses are raised wild on the prairie, they never see a stable, and do not know anything about it, they are clean-limbed horses, mustang bred, most of them, bred on the prairie.

By Mr. McColl:

Q. By thoroughbred sires?—A. When we can get thoroughbred sires to them it will greatly improve the breed of the stock, and we hope by stimulating that industry and encouraging the breeding of stock from thoroughbred sires that we would in time be able to supply remounts for cavalry purposes and make the horses worth very much more than they are. Now, recently we have had a large number of inquiries from gentlemen in the west who hold the same views I have tried to represent to you here, and before this investigation closes they wish, in the strongest manner possible, to put those views before you, and if necessary, they will come down all that great distance to ask you to go slow in this and not destroy the thoroughbred horse in the west, because we hope in the future to make the western horse very much more valuable than he is. I have a personal recollection of race horses brought there into that cavalry country, such horses as 'Silk Gown,' recalling the name of one I remember, and the breed of the thoroughbred horse, his get, is twice as valuable as the get of any cold-blooded horse you could buy. The get of that horse has been sent back to England as remounts, he has stamped himself on the prairie horses and the product has been a very much superior horse to anything that the get of a cold-blooded horse could be. It has been the same wherever thoroughbred horses have been introduced. Now, it is this kind of horse that we want to breed the prairie mare to, and it is with us, as I say, a very important industry.

Q. Do you know whether 'Silk Gown' was imported by Mr. Dymont or Mr. Seagram?—A. No, brought direct from England after winning one of the great races, having broken down and was brought out there for breeding.

By Mr. Blain:

Q. The evidence of these men you refer to will not differ much from your evidence, will it?—A. No, I do not think so, we all like a horse race out there, and while we do not want to be classed as professional gamblers, we want the liberty to bet a little on it when we see a good horse.

By Mr. Smith:

Q. You want to be allowed to bet with the books on the race track?—A. Yes.

By Mr. McColl:

Q. You do not want to have the sport interfered with?—A. No, and it would result in great deterioration and discouragement to the ranchers in the west who are

breeding these horses if this sport which results in the development of the thoroughbred were to be stopped.

By Mr. Smith:

Q. In your opinion, if betting were not allowed, would it prevent the races, and would it, therefore, be a detriment to the breeding of the class of horses you have mentioned?—A. Oh, yes, there would be no importation of horses.

Q. In your opinion are the people of the west, Manitoba and the other provinces, going more into saddle horses than into draft?—A. Very much more so, yes.

Q. I find that in Saskatchewan there are 297,063 horses, and in the province of Alberta 263,713 horses, and as I stated a few moments ago, in the province of Manitoba there are 237,161, making a total in the three prairie provinces of 797,937 horses, so that in all that large number of horses there must be a very considerable percentage of saddle horses?—A. Yes, there is no question about that.

Q. Do you feel yourself called upon or able to speak for those various people out West, of whom you have spoken, or is this your own opinion?—A. Well, I know it is the opinion undoubtedly held from the information I have received from the West. I want you gentlemen to remember and understand that in a country like that where you have to travel sometimes, in my own case where I was ranching, I remember, it was an ordinary thing to have to take a journey of 500 or 600 miles on the back of a horse, and when you have to do that you want an animal evidently that is worth something. At the time of the rebellion I served in Steele's Cavalry there, and I think we used all native bred horses and brought them back, we took care of them, and brought them back in good condition. We hope to develop that industry and to supply cavalry remounts to the old country, and, if we possibly needed it some day, in our own country to have a supply of good saddle horses.

By the Chairman:

Q. These horses you say you used in the rebellion were only bred from the mustang?—A. The mustang with the thoroughbred horse, which is the only animal which has enough individuality in him to impress itself upon another horse. Take a cold blooded horse and breed him to another and you will get a poor animal, but the thoroughbred retains his characteristic and transmits it to his progeny, he places his stamp upon it which a cold blooded horse will not do. These thoroughbred horses make the very best saddle horse in the world, and the only way by which we can find out a good horse is by testing him on the racecourse.

By Mr. Smith:

Q. As a matter of fact, is not the greatest pastime in the prairie provinces during the summer months racing, horse back riding and speeding at the racing associations?—A. I have seen horse races with 50 Indians in all mounted.

By Mr. McCarthy:

Q. Who had the betting privileges there?—A. I do not know, they gambled, I suppose.

By Mr. Martin:

Q. Were they thoroughbred horses the Indians were riding?—A. Thoroughbred cayuses.

By Mr. Smith:

Q. Do you not think it would be better to have some of these gentlemen from the West down here?—A. Certainly, before this investigation closes, if you propose to pass this Bill, it would be desirable. We only have Mr. Martin here to speak for us and he is not representing the ranching country.

APPENDIX No. 6

By Mr. Monk:

Q. Could you suggest some men who we could bring down, representative men?—
A. I would be able to do so as soon as I return home.

By the Chairman:

Q. Would the evidence of the witnesses you would send down here be along the same line as your own?—A. I think so.

Q. Then if we can take it for granted, as I think we can, that you could send a half dozen witnesses here to give us the same evidence as you have, there would be nothing gained by sending them down here.—A. Nothing except this, that I understand the committee have agreed to accept the evidence of Chief McRae of Winnipeg.

Mr. MARTIN.—Yes, my understanding was that the statement of the Chief of Police and the Chief Magistrate would be accepted if given before a notary public, that is what I understand.—A. He told me personally, a short time ago, that during the twenty-nine years, I think, that they had no record of any case of embezzlement arising from what you are attempting to prohibit, the power to bet on race tracks; although he will also tell you probably in his evidence that the professional gambler and pool room and bookmaker down town, he would object to strongly. We do not allow that down town at all, it is on the race tracks.

By Mr. Sinclair:

Q. Have you large race tracks in the west?—A. We have one in course of construction at Winnipeg which I know personally about. Of course we have half mile tracks all over the country. We have one in course of construction at Winnipeg.

Q. That is the first large one you have had in the west?—A. We have had a mile track in Winnipeg before, but it is not—the property got too valuable and was cut up into lots. The city is growing so fast that we could not retain that property for racing purposes.

Q. Are you able to give the Committee some figures as to what extent of racing there is in Winnipeg?—A. Oh, there is a lot of racing.

Q. Do you collect a large number of people at these races, and if so what number, and have you got bookmakers there?—A. Oh, yes, at the exhibition there is a large number of people. They collect from all the country towns and run their harness horses principally. The thoroughbred has only been utilized in the West principally in the Calgary district and through there.

By the Chairman:

Q. That is the only section of the West where the thoroughbred has been much used?—A. Yes. I am of course interested in the promotion of the race track in Winnipeg and also in the building up of the thoroughbred horse industry. Just in that way; having been engaged in breeding in my old ranching days, I would like to help them out. We are not trying to make any money out of it, but trying to get more thoroughbreds to breed in with these range horses.

Mr. SMITH.—Mr. Sinclair was asking as to the places where racing is carried on. I have here a statement which Dr. Bell has furnished me. It contains a list of the meetings comprised in the Manitoba racing circuit and the purses given amount in the aggregate to about \$60,000. The meetings in question are as follows: Brandon Turf Club, \$7,300; Manitoba Jockey Club, Winnipeg, \$6,500; Holland, \$1,200; Neepawa, \$1,500; Carberry, Portage Turf Club, \$3,500; Portage Fair, \$3,600; Winnipeg Exhibition, \$21,000; Brandon Fair, \$10,000; Killarney Fair, \$3,500.

By the Chairman:

Q. They are nearly all trotting races?—A. Nearly all trotting races. They have running races mixed up as well. They run what is called a 'mixed meeting.'

By Mr. Blain:

Q. Do they run races at the exhibition?—A. Yes, sir.

Q. And are the prizes as large at the exhibition as at the regular race meetings?—A. Yes, sir, large prizes.

Q. As large as at the regular racing meets?—A. I would think so, Dr. Bell could tell you exactly.

Dr. BELL.—Our largest purse last year for the running horse was \$1,000. We had two of those.

By Mr. Blain:

Q. Was it at the Winnipeg exhibition?—A. At the Winnipeg exhibition.

By Mr. Raney:

Q. Is there any bookmaking outside of Winnipeg, Dr. Ingles?—A. I think there is.

Q. Well, do you know?—A. Well, I do know, yes.

Q. Where?—At Brandon, and at Portage la Prairie.

Q. Take Brandon, is the bookmaking there under the control in any way of the managers of the race course; is it a race course or an exhibition?—A. A race course. I could not tell you. I don't know how it is managed. I know they bet.

Q. Do you know of any racing association in the West—that is in the three provinces you have spoken of apart from the Winnipeg Association, which derives a revenue from bookmaking?—A. Well, I think so; yes.

Q. What one?—Well, the Brandon races.

Q. What revenue does the Brandon Association derive?—A. I don't know, but I know that they get paid for the booking privileges. I know the Manitoba Jockey Club do also.

Q. One at a time, let me understand; is the Brandon organization a fair association or a jockey club?—A. A jockey club.

Q. What do they receive for the bookmaking privileges?—A. I forget; they get a price for it.

Q. What price?—A. I cannot tell you.

Q. Are you a member of the association?—A. No, not of the Brandon association.

Q. Then you do not know of your own knowledge I suppose?—A. I know they sell the booking privileges and get a price for it.

Q. Do you know how much they sold it for last year?—A. I do not know.

Q. The other association was what?—A. The Portage la Prairie Driving Club.

Q. Do they sell betting privileges?—A. Yes.

Q. For how much?—A. I do not know.

Q. You have been on both tracks?—A. Yes.

Q. Is there bookmaking carried on there?—A. Yes.

Q. Do the bookmakers occupy booths?—A. These questions are privileged, I suppose. Mr. Shearer is sitting there; I did not come down here to stir up trouble. As a matter of fact I think they do occupy booths.

Q. Then your message, as I understand it, is 'don't destroy the thoroughbred?'—A. That is what it amounts to.

Q. If this Bill did not destroy the thoroughbred you would have no fault to find with it?—A. The Bill will absolutely destroy the thoroughbred as it stands to-day.

Q. But if that should turn out not to be true, you would not see any difficulty about the legislation?—A. Well, I would not have any objection—

Q. Is it your impression that this Bill prevents betting on the race track?—A. Not at all.

Q. Does it bookmaking?—A. The bookmaking.

Q. You understand that?—A. I can get you any number—send you down men from the west if you wish to hear any further evidence along this line.

APPENDIX No. 6

The CHAIRMAN.—I think it is the sense of the committee that that will not be necessary.

By the Chairman:

Q. Are you a shareholder of any jockey club?—A. In the Manitoba Jockey Club.

Q. You are?—A. Yes.

Q. Are not Saskatchewan and Alberta ceasing to be ranching countries? I know there is a great deal of ranching done there, but are not those two ceasing to be ranching provinces?—A. To some extent the ranching is drifting farther north up into the Peace country.

Q. Into the Peace country?—A. Yes.

Q. Saskatchewan and Alberta are ceasing to be the ranching countries that they formerly were?—A. The southern part. I could not speak exactly, but I know the large ranching interests are drifting to the north.

Q. And the homesteader has got in on the ranching ground?—A. They have taken and irrigated a lot of the ranching country in the southern part of Alberta.

Q. When Saskatchewan and Alberta ceases to be ranching countries altogether there will not be the same need of cattle ponies as there has been?—A. There will always be the same need in that country, because where you take the farmer, where the homesteader goes in, he has got to have a saddle horse just the same because he always keep cows.

By Mr. McColl:

Q. How about the Mounted Police?—A. The Mounted Police require remounts, not to the same extent, of course.

By the Chairman:

Q. The horses you use in rounding up cattle on the range are mostly mustangs?—A. Mostly, yes. We used to get cross-breds. We used to send over to British Columbia to a man named MacConnell and buy the get of a horse called Buffalo, and we used to send over to Montana to get cross bred, because the cold-blooded horse would not have speed enough.

Q. You would hardly call that a blooded horse?—A. You cannot tell that. A great many of them have thoroughbred blood in them.

Q. A great percentage of the cattle ponies of the west, you would hazard a guess, would have thoroughbred blood, to your knowledge, as far as can be traced I mean?—A. I do not know. There was a lot of thoroughbred blood imported in the Calgary country when I went there. I remember one shipment of 500 coming in and they have left their strain, Mr. Miller, behind them to a certain extent.

By Mr. Sinclair:

Q. Can a horse be left outside in the Peace River district?—A. Yes.

Q. They are ranching there and the horses are left outside?—A. They take care of themselves. When I went to the Peace River district there were horses there that had never seen a man.

By Mr. Smith:

Q. You were asked if you were a director or shareholder of the Manitoba Jockey Club; can you give us the names of some directors who are shareholders and what class of people they are?—A. They are available.

Q. Can you mention a few?—A. Well the provisional directorate of the Manitoba Jockey Club is composed of Mr. R. J. Mackenzie, Mr. Hugh Sutherland, Mr. Willie Allan, Mr. A. M. Nanton, Judge Walker, and myself.

Witness discharged.

Committee adjourned.

THURSDAY, January 27, 1910.

The Committee resumed at 8.30 p.m., the Chairman, Mr. Miller, presiding.

Inspector ARCHIBALD, of Toronto, was sworn and testified as follows:—

By Mr. Raney:

Q. What is your office?—A. My rank at present is Chief Inspector of the Toronto Police Force.

Q. How many years experience have you had on the Toronto Police Force?—A. Over forty.

Q. And you were for a number of years at the head of the Morality Department? I think you started it?—A. Well, they called it that, I think, originally, by way of a joke, but it was understood as that; it was called the Staff Department, of which I was head.

Q. The scoffers called it the Morality Department?—A. Yes.

Q. Naturally it finally came to be taken seriously?—A. Yes.

Q. As the head of the Staff Department, what class of cases came within your purview?—A. In fact all classes of cases that came into the Police Court, but in particular all cases having reference to the suppression of vice in all its forms, the protection of women and children, the enforcement of the Liquor License Act, and all those matters which would include questions of reform.

Q. Cases arising from drunkenness and gambling, and all the vices, as you say?—A. Yes.

Q. And how many cases would you say passed through your hands after you became the head of that Department? When did you become the head?—A. It was 2nd February, 1886.

Q. How many cases have passed through your hands from that time till now, approximately, those that went into the Police Court and those that did not?—A. I do not understand you: do you mean, how many cases did I investigate?

Q. Yes, complaints?—A. Well, perhaps it would be necessary to explain that I was clothed with special powers, so far as the law would permit of it, and the Board of Police Commissioners endorsed it, to deal with cases out of court, and to receive complaints arising from the various causes, largely amongst women who suffered ill-treatment at the hands of their husbands, and cases of that character, and I had the privilege of settling probably two-thirds of all the cases that were reported to me and which I investigated during those twenty-five years.

Q. What would be the total number of cases?—A. It would be over 60,000.

Q. And about two-thirds of those never came to the Police Court?—A. About two-thirds of those were dealt with by myself, without going into the court, or without any publicity being given thereto.

By Mr. McColl:

Q. Was there any record kept of those cases?—A. Yes: we have books containing practically every case for the 25 years, with a record of the complaint and how disposed of.

By Mr. Raney:

Q. You recall the days before the Woodbine began business as a racing track?—A. Oh, yes.

Q. Was there horse racing in Toronto a number of years before the Woodbine was ever heard of?—A. Yes

APPENDIX No. 6

Q. Well attended?—A. Fairly well.

Q. Was there bookmaking?—A. No, not at first.

Q. What was there?—A. What was understood as pool-selling.

Q. Which took place where?—A. At some rendez-vous hotel, or place in the city the night before the races, not on the race track.

Q. When did bookmaking commence in Toronto, so far as you recall?—A. I do not think the bookmaking amounted to much prior to 1892, when that Act was passed.

Q. Sir John Thompson's amendment?—A. Yes.

By Mr. Stratton:

Q. Did they not sell pools on the track as well?—A. I do not think so; they may have sold some, but very few, if any.

Q. My recollection is that they sold pools in an hotel the night before, but there was pool selling on the track the next day?—A. There may have been. In those days I did not attend to the races, except when it came my turn to take charge of a squad of police.

Q. I am not speaking of the Toronto race track particularly, but generally speaking?—A. That may be. I will not be positive. The major portion of the pools were sold the night before.

By Mr. Raney:

Q. Coming back to your own department of work, of these 60,000 cases that came to you by way of complaint, what was the principal cause at the bottom of the trouble in the majority of the cases?—A. I have no doubt that, directly or indirectly, the inordinate use of liquor was the cause in the majority of cases.

Q. What would figure second? Where would gambling come in?—A. Gambling came up pretty close to the liquor business, I think perhaps it would be second in order, but not nearly to the same extent as the liquor.

Q. Could you give me a rough idea of the proportion of the cases that would have, as the foundation of the complaint, gambling, or something arising from gambling?—A. I do not think I would be justified in giving you an approximation. There were a considerable number directly or indirectly caused by that, according to the representations of wives and mothers, and sometimes fathers, coming in and complaining.

Q. And then, of those cases, did a considerable proportion of them arise out of complaints of matters that had transpired at the Woodbine, after the Woodbine began business?—A. There were a number of them from there, and they were from other sources and other causes.

Q. Could you make any estimate of the number of cases that came before you where the trouble, according to the statements that were made to you, originated at the Woodbine? Would it be scores or hundreds, or what?—A. Oh, there would be hundreds, no doubt, but in the manner in which I dealt with those cases, I was not so particular to ascertain where the trouble originated as to try and bring about a better condition of things, where it would be a case of domestic infelicity, and so on.

Q. Looking back now, would you say hundreds of those cases arose from complaints in regard to betting at the Woodbine?—A. Yes, and perhaps as large a number from hand-book makers and other gambling appliances, having no reference to horse-racing at the track at all.

Q. Has the quota of cases arising from bookmaking and hand-book making been on the increase or on the decrease of late years?—A. It certainly has been on the increase; there is no question about that.

Q. Has the increase been out of proportion to the growth of the population of the city?—A. Well, that is a question I would not like to draw the line too closely in regard to. I am inclined to think it has.

By Mr. McCarthy:

Q. That is embracing everything?—A. Yes.

Q. Hand-book and pool room and all?—A. Yes.

By Mr. Raney:

Q. There has not been any pool-room for eight or ten years?—A. Yes, there were pool-rooms nearly twenty years.

Q. But it is five or six years since the last pool-room was running?—A. We have had them until we drove them out of the city.

Q. How long was that ago?—A. Fifteen or sixteen years.

Q. You had one at West Toronto?—A. We were not responsible for that. That was outside of the city limits, and we did not consider ourselves responsible to do the work out there.

By Mr. McColl:

Q. But the abuses from that would affect Toronto?—A. No doubt it did.

Q. Toronto people patronized it, and a great many cases that would come before you from gambling perhaps came from that pool-room?—A. Quite a number of them came from there. Let me say here, by way of making this plain: when the so-called pool-room started in Toronto, there were three, I think, started, first one, and a second one and a third one started. We went vigorously to work in order to suppress them, believing that it was contrary to law, and ultimately proved that it was contrary to law, and I was the plaintiff in all those cases, and that gave me the right to deal with the cases in court, as some of you legal gentlemen know, and we had one party brought up—we had three pool-rooms raided, I think the same day, simultaneously, and two of them were Americans, carried on by Americans. We succeeded in breaking up those two, and we secured a conviction against the third one, who was a Toronto man, and associated with him were several others, who were running it.

By Mr. Raney:

Q. A man whose name has been mentioned before the committee?—A. Yes, Abe Orpen. We secured a conviction against him, and the late county judge, Macdougall, remanded him for sentence, and warned him that if found guilty again before him he would imprison him, without the option of a fine. That did not stop it. A man named Brennan was put up to be the manager of the pool room immediately after that conviction, and we secured a conviction against Brennan, and he got a term of imprisonment without the option of a fine, and that stopped the pool room in Toronto. The operator went out a few miles to the county of Peel.

Q. To Port Credit?—A. To Port Credit, and started a pool room there, and we were rather vigorous, and we sent out—

Q. Port Credit was followed by Montreal, and then Montreal to Toronto Junction?—A. Yes. We brought him up from Port Credit, and we stirred up the police in Brampton, and they brought him into court, and they secured a conviction, and we withdrew our case, and they appealed to the Court of Appeal, and the conviction was sustained. He went to Montreal and was there convicted, and practically driven out of Montreal, and found his way to Toronto Junction, outside the city.

Q. And he was finally driven from there?—A. Yes, and our force had to take a hand to do it.

By the Chairman:

Q. Where did he go then?—A. By the time that he got through, he developed into a very large man at the Woodbine, having control of the bookmaking, with the privilege of allowing men from the other side to make book.

Mr. FRASER.—I beg your pardon, never.

WITNESS.—Just listen to me for one moment. I have only been once at the Woodbine in 25 years; that is, during a race meet. I happened to be there about eight years ago by appointment to meet a man, not at the Woodbine, but to go further past, upon some official duty. I stepped into the Woodbine, and at that time Abe Orpen had bought the privilege—perhaps there may be a particular term—he had

APPENDIX No. 6

bought the privilege to let it to other bookmakers, and he had let out the privilege to fifteen men, each book consisting of four or five men; they had booths at that time, and he was running three books himself, and he took me round for twenty minutes and showed me the whole *modus operandi* of the business, and there were possibly two or three hundred men in the betting ring, like wild demons, men who had never looked at a horse race in twenty years perhaps, and I was told they had not done it at any time, and they were there for betting and nothing else; so that I am satisfied that he not only had the privilege then, but that ever since he has had a betting place there himself.

By Mr. Raney:

Q. He retired about three years ago?—A. When he got the Dufferin track in competition with the others, and we secured a conviction against him, and had it sustained, within two years—a conviction against the Dufferin race track.

Q. One of the witnesses has spoken about the abuses of the pool room. I wish you would make a comparison, in your own way, of the evils, as you see them, of the pool room as Abe Orpen conducted it, and the evils of betting on the race track, as we have it now at the Woodbine?—A. Insofar as the pool room conducted by Abe Orpen and the present system at the Woodbine, I do not think there is any difference.

Q. In principle?—A. Or in practice.

Q. Is there any difference that occurs to you?—A. I think the system that is now very prevalent in the city of Toronto, those handbooks, and, in a less pretentious way, in rooms—not many—is far more demoralizing.

Q. What do you say about this: a good deal has been said, and a good deal of emphasis has been placed upon the undoubted fact that the Woodbine is under distinguished patronage, and frequented by some of the very best people in the land? Undoubtedly the pool room was, from the legal point of view, disreputable, whether it was actually so or not?—A. I think we helped to make it disreputable. At one time I had sixty in the court for frequenting it.

Q. Comprising the institutions in that way, what do you say as to their influence on society?—A. I scarcely understand what you are driving at.

Q. The Woodbine, taking it as a place where books are made, and men go to bet, has the sanction of highly respectable people. The pool room as it existed had not that sanction. People who went there knew they were breaking the law. Which of the institutions is the more harmful to society in your point of view?—A. I think I should give a qualified answer to that. I think the handbook making around some of the rooms which we had to deal with is certainly more demoralizing and more degrading, and that a larger number of the novices in the business resort thereto, because they can put up much smaller sums of money, and it does not take them a day or half a day from their work in order to do so; they can do it at their dinner hour, at various times: they can hop out and do that sort of thing. From that standpoint I think those places are worse in that respect than the Woodbine. But if you want my opinion as to whether the Woodbine, as a place for betting on horse races, in contrast with those places, is the more dangerous, I say by all means the Woodbine.

Q. Why?—A. For the simple reason that it is patronized, as you say, by the best class of men in the community, and a class of people who are very desirous to be found associated with the high-toned class in the social standing will go to the Woodbine, particularly so long as it is supposed to be run according to law, and thereby they get the advantage of the good things, what they call good down there. It has a far more demoralizing effect upon the better class of people than the outside places.

Q. Then you have had a considerable experience, too, in the attempt to stop bookmaking at the Woodbine, and it was from your prosecutions, I think, quite unintentionally, perhaps, that we have the present result of the unsatisfactory state of the law that we have heard of, so far as the race tracks are concerned?—A. Now, you come to what I think the crucial question. I understand the object of my being

examined, and I have answered questions which, I think, were outside of what I wanted to deal with altogether. My object was to secure a law that would enable us to enforce it. Here some years ago, I might say up to the time of the Hanrahan case, from Fort Erie, I think it was—

Q. No, Windsor?—A. Windsor: the condition of things got so outrageously demoralizing and corrupting, people coming across from the other side and making it a rendezvous, that it became intolerable, and the police authorities brought them into the court, and the police magistrate of Windsor convicted, and the conviction was sustained at the Court of Appeal; the late Chief Justice Armour was the Chief Justice of the court at the time, and, in giving judgment, he spoke in a very emphatic and pronounced way, to the effect that bookmaking, or the keeping of a place for that purpose, was an offence on a regularly incorporated race track, or any place else in Canada. Some time after that judgment was made public we brought a case into the police court from the Woodbine, I had five different parties summoned into court. They chose the president of the Jockey Club, and the case was proceeded with against him, and a conviction made by the police magistrate, who, himself, was a little doubtful as to whether subsection 2 of section 204 of the Code did not permit it; that was the old Code of 1892. That conviction was quashed on the ground that as the president never took part in the betting, nor participated in the profits, that they would not hold him responsible. They quashed the conviction, one of the judges remarking ‘Why use ammunition in that case when there was higher game to be knocked down?’ Taking advantage of that, we brought into court the next time five groups of bookmakers, one of whom was selected and a conviction secured.

Q. Saunders?—A. Yes, Jake Saunders. A conviction was secured and the case was taken to the Court of Appeal; it was sustained there. The case was further appealed to the Supreme Court at Ottawa, and the conviction was sustained. Almost immediately after that another system of operations was inaugurated, whereby in place of sitting on a pedestal and having a comfortable place, four or five men stood in a small circle, in a radius of perhaps three to six feet, and they marked time while they did the business, exactly as it was done before.

Q. Except that they marked time?—A. Yes. They were brought into court, and a conviction secured before Colonel Denison, who very strongly stated that he looked upon this as much more serious and objectionable than the previous case, as it was a mere subterfuge to defeat the ends of justice. That case went to the Court of Appeal, and the conviction was quashed on the ground that so long as they moved it was not a place within the meaning of the Act, and there is where we are at to-day, save that last summer I had another group in the police court, and the case was dismissed by the police magistrate, with the concurrence of the Crown Attorney, on the ground that they would follow the decision of the Court of Appeal, although the particulars were different, had they gone on with it, and therefore, finding that the police were made targets of by every person who wanted to find fault with everyone in general and the police in particular, at the last meeting of the Chief Constables Association for the Dominion of Canada, held at Niagara Falls, I read a paper on the subject, and if, Mr. Chairman, you would take that paper, it would give you a lot of facts that would save time, and it was endorsed by about fifty of the chief constables from all over the Dominion.

By the Chairman:

Q. Have you the paper?—A. I have the paper, and you will see our main purpose and object was, and is still, if the authorities wish that to be carried on as it is now, which we claim is contrary to law; if the authorities here think it right, make it legal, and in that way remove a great deal of confusion and prevent people casting the odium on the police force because they will not enforce it, or if it is wrong, pass an act prohibiting it, so that we will know where we are at, and then we will not be made the subject of ridicule by everybody for not doing our duty. We are not here

APPENDIX No. 6

on the ethical question. I am not here on the ethical question. I let others attend to that. I am here as a police officer for 25 years charged with the enforcement of this Act and all other Acts on the statute book having reference to the suppression of vice and I am handicapped in that matter, and if I appear to be a little pronounced that is the reason. I am not here to deal with the question whether people should be permitted to bet at the Woodbine. If they want to spend their money let them do it. It is their own business.

By Mr. Raney:

Q. You say, 'Either make this bookmaking legal or make it illegal?'—A. Either one or the other. That is my position. I hear a good deal said in reference to eliminating the handbook making and all betting outside the track. I have no hesitation in saying that that would certainly be a step in the right direction, but if you ask my own advice I would eliminate gambling in all its phases and forms anywhere, either sitting, standing or walking.

By Mr. McCarthy:

Q. Who said gambling?—A. When I used that word I use it advisedly, because it has been held, and we have had several convictions, that the matter under discussion came under the category of gambling, and they were charged as gamblers and convicted, and, until it is legalized, I still hold it is gambling.

By Mr. Raney:

Q. Would you interfere with one man making a bet with another?—A. I do not think we have anything to do with that. I think that is a matter outside of this question altogether.

Q. What you mean by gambling is the professional gambler?—A. Yes.

By the Chairman:

Q. Will you find this paper you read at the meeting of the Chief Constables' Association?—A. Yes, the paper reads as follows:—

GAMBLING: AS APPLIED TO THE RACE TRACK AND THE STOCK MARKET.

Chief Inspector Archibald, Toronto.

In dealing with this question let us ask and endeavour to answer the following questions: Can the law provided for the suppression of gambling be enforced, and, if so, what are the reasons why it is not enforced?

Here is a brief definition of the literal and legal meaning of gambling according to, first, the 'Standard Dictionary,' 'To play a game, especially a game of chance, for stakes, to risk money or other possession on any event, chance or other contingency; to pretend to buy or sell, depending upon chance variations in prices for gain.' And for the second definition, which is the legal and statutory one, let me refer you to the Criminal Code, S.S. 226-236 inclusive.

In the reading of these sections, in so far as the layman's mind can comprehend their meaning, one would be inclined to conclude that all phases of known gambling are therein enumerated and defined, together with provisions made for their suppression. Then it may well be asked, why are these vices suppressed?

Let us also ascertain to what extent gambling, and especially race track gambling, is carried on in Canada. Here we may quote an extract taken from the *Toronto Telegram*, giving an approximate estimate of the number who attended during the two weeks at the recent Ontario Jockey Club's meet, held at Woodbine race track, Toronto, and also the amount of money which changed hands. This extract was in part quoted by the Toronto conference of the Methodist Church, and included in a resolution dealing with the question of race track gambling, of which the annexed is an extract.

Extract from Toronto conference report, 1909.—

As a Methodist Church, and as Christian citizens, we deeply deplore the existence in this rapidly-growing young nation of quasi-legalized race-track gambling with all its corrupting and demoralizing influences. Your committee begs to express surprise and regret that the Dominion government, though strongly appealed to for some years past, has so far neglected to grant effective legislation dealing with this evil.

The Toronto *Evening Telegram* of June 5, publishes the following startling statistics regarding the last meet of the Ontario Jockey Club in the city of Toronto.

Attendance.	168,000
Amount bet.	\$2,600,000
Expended by bookmakers.	115,000
Car fare.	12,500
Admission (members).	5,000
Hacks and autos.	10,000
Racing dope.	10,000
Other expenses of meet.	346,115

The foregoing is only the mercenary side of the question. No language can attempt to give an adequate idea of the disastrous consequences, physically, intellectually, morally and religiously, resulting from this university of gambling and crime. We profoundly regret that the Governor General of this Dominion, and other men occupying high positions of honour and trust, have, by their presence at the Woodbine race track, given countenance and support to a debasing evil which permeates all classes of society in one form or another, and which is a menace to the moral welfare of our nation. Rigid laws against Race Track Gambling in many of the states of the American Union have driven professional gamblers to this side of the line, till even the Grand Jury in its last session in this city characterized this province as a 'Paradise for gamblers.'

We would also quote an extract from the resolutions adopted by the General Assembly of the Presbyterian Church of Canada in June 1909:—

RACE TRACK BETTING.

That whereas the courts have interpreted the clauses of the Criminal Code intended to prohibit professional bookmakers from negotiating bets in such a way as to make this lawful on a race track, if the bookmaker moves about, while unlawful if he remains in any building, booth or place, thus at once defeating the manifest intention of Parliament and making the law ridiculous.

And whereas the state of New York, as well as many other American states, have recently put an end to all such professional gambling, leaving Canada almost alone on the northern half of the continent as legalizing this vice, and making the Dominion the dumping ground and her race tracks the chief rendez-vous of gamblers and other criminals from all over the continent.

And whereas our boys and young men in thousands are in consequence being publicly schooled in vice and crime, ruining their characters and destroying the happiness of countless hearts and homes.

And whereas this Board of Moral and Social Reform, co-operating with the authorities of all other churches and sympathetic organizations, has for two years been pressing the Dominion government to ask parliament to amend the Code making the original intention clear.

And whereas the request is in the judgment of the Assembly extremely modest and reasonable.

Therefore, Resolved that the Assembly express its strong sense of disappointment and indignation on learning that the government has refused to accede to

APPENDIX No. 6

this request, though repeatedly and respectfully pressed, and insist that the government bear full responsibility for the injury done to the good name and highest well being of our fair Dominion, and earnestly calls upon all who respect the Assembly's authority and judgment to joint in awakening public opinion in all parts of Canada and bringing every legitimate influence to bear upon the members of parliament and the government, until action is taken to right this great and serious wrong.

Also an extract from *Evening Telegram* of June 17, 1908, *re Episcopal Church Synod of Toronto Diocese on the same subject: 'Widows or Woodbine. Which will the Church support'?*

S. H. Blake, K.C., tells Synod who is to blame for betting at Woodbine.
 . . . The entrance fees to the Woodbine Race Track for thirteen days, I am told by a man who is connected with the race course, are between \$125,000 and \$130,000, while the 80 or 100 bookmakers there each paid \$1,300 for the right to be there on those days. This is independent of the amounts spent on dress and lost in betting, and for this appalling condition of affairs in the city of Toronto we of the Church of England are largely responsible. It is largely the people of our own church who support the Woodbine.

With indignation in his voice, the Hon. S. H. Blake, K.C., thus added his voice to the chorus of church denunciation of the Woodbine, at the afternoon session of the Synod of Toronto Diocese meeting.

It will be seen by reference to sec. 235 S.S. 2, Criminal Code, that some provision was supposed to have been made for betting on and during the meet of a regularly organized and incorporated race track. This was taken advantage of until race track gambling became a public scandal, demoralizing in the extreme, until a case known as the *Queen v. Hanrahan*, in which the Police Magistrate of Windsor convicted the defendant for keeping a common betting house. This case was taken to the Court of Appeal, where the conviction was unanimously sustained, the late Chief Justice Armour in his judgment was very emphatic, holding, as he did, that betting on any track, whether incorporated or otherwise, was an offence against the Criminal Code. The writer, acting in accordance with this judgment, brought the President of the Ontario Jockey Club into court, where Col. Denison convicted, giving a stated case, which was taken to the Court of Appeal, where the conviction was quashed, the court holding that as the president neither took part in the bookmaking nor profited thereby, a conviction could not be sustained against him. At the same time one of the judges made a remark to the effect that the Crown should have proceeded against the bookmakers. At next race track meet, evidence was secured and several bookmakers were brought into court, one of whom was selected as a test case. Col. Denison again made a conviction, and this case was also taken to the Court of Appeal, where the conviction was sustained. It was then carried to the Supreme Court at Ottawa, and the judgment of the Court of Appeal was upheld, with one or two of the judges dissenting. This, however, did not put a stop to the gambling on the Woodbine race track, which was shown by a change of tactics in which the bookmakers stood on the lawn (an inclosure set apart for the bookmakers and their customers) and continued business as usual, the only difference being that they stood marking time instead of sitting. A case was brought into court and a conviction secured before Col. Denison, who, when passing sentence, stated that the attempted subterfuge in order to evade the law (in his judgment) intensified the offence. This case was also taken to the Court of Appeal and quashed on the grounds that standing up and moving about whilst the business of betting was being carried on did not constitute an offence, not being a house, room or place.

By Mr. McColl:

Q. You would include poker playing, bridge whist and all that?—A. I would, sir.

Q. And the roulette wheel?—A. Yes.

By Mr. Raney:

Q. That is, if a place were maintained to carry on that?—A. Yes. Of course it is a different thing to invade a person's home where they indulge in that sort of amusement and pastime. I would never invade any person's home, unless I did it imperatively in the discharge of duty.

By Mr. McColl:

Q. Unless the law justified you?—A. Yes.

By Mr. Stratton:

Q. You said a few minutes ago that, in the first place, crime was traceable to drink?—A. I think in the main.

Q. And that gambling came second?—A. I have no doubt but it does, sir.

Q. And you referred to that as being accountable for two-thirds of the cases—that they were traceable to gambling?—A. No, excuse me.

Q. What I do not quite understand is how you attribute to gambling, which is before the committee at the present time, the crime of a man coming home and beating his wife—those disputes which you settled. Why should a man abuse his wife on account of having been betting on horse racing?—A. That would be amongst the two-thirds of the cases that I settled, where no law was broken that would make it imperative upon me to put the law in motion.

Q. But you traced it to gambling?—A. No, only a portion.

Mr. RANEY.—He said two-thirds of the cases that came before him of the 60,000 were settled without going to the police court, but he did not undertake to say what proportion of the whole number had their origin in gambling.

By Mr. Stratton:

Q. You said first of all, crime was traceable to gambling?—A. Yes.

Q. And you instanced a number of cases which had been settled out of court where it was traceable to gambling, and I did not get clearly in my mind why the man losing his money on the race track would be induced to beat his wife?—A. Because the great majority of those who gamble in any phase of gambling, also drink; as a rule they go together; and then another matter; somebody spoke about gambling and women; the whole three of them are combined; you cannot dissociate them.

Mr. STRATTON.—I understand you now.

By Mr. McColl:

Q. Do you mean to tell me a professional gambler drinks?—A. In the majority of cases.

Q. Will the poker player who wants to win take chances of drinking, which may incapacitate him, and cause him to lose his money?—A. I have found that in a great many cases.

Q. I have always found that the man who was in the business of gambling was a man who was careful not to drink; he would keep sober; he would want all his wits about him?—A. That is so in a very few cases. There are cases of that character, but I do not consider all the men who go into it as you indicate professional gamblers. I consider the great majority of the men who gamble under any of those heads also drink.

Q. They are gambling for the sport, and not really for the money they are making?—A. I do not see how you can dissociate those people. I cannot see how they can be dissociated.

Q. Some play a game of cards for small stakes, not for the purpose of making money, or making a business of it, or to make a living by it, but for the interest it creates?—A. Yes.

Q. You can call it gambling, if you like, but they are gambling for the pastime and sport, and as an incident to that they will probably drink, but the real gambler,

APPENDIX No. 6

if there be such, who undertakes to make his living by gambling—do you mean to say that man is also a drinker?—A. He is a drinker, unquestionably, 19 out of 20, but on certain occasions, when it is necessary to have all his wit and craft and wisdom, he will abstain from drinking until he will accomplish his purpose.

Q. And then have a good time drinking after he wins the money?—A. Yes.

By Mr. Raney:

Q. The shark does not get drunk while the game is on: the lamb may get drunk and be fleeced?—A. I do not know that I can follow you on those figures of speech.

Q. Then what do you say about the possibility of enforcing the law to prohibit bookmaking on the race tracks, if such a law were enacted?—A. I do not think there would be any very great difficulty in enforcing it, if we had it put in plain Anglo-Saxon, that every person charged with its enforcement would understand its meaning.

By Mr. McColl:

Q. And that the courts could easily interpret?—A. Yes. You will understand that even in those cases where a conviction was secured in the Police Court, they would go to the Court of Appeal: there would be possibly one out of four or five judges might dissent, one or two, one at all events, because if one did not dissent it could not go to Ottawa, could it, Mr. McCarthy?

Mr. MCCARTHY.—Oh, yes.

By Mr. Raney:

Q. In the Saunders case two judges of the Court of Appeal, and two of the Supreme Court judges, thought that subsection 2 of section 235 qualified, not only the earlier part of 235, but also qualified the Gaming House and Betting House sections, and in that way legalized bookmaking on the race track. The other judges took the view that section 235 was substantive, and in no way qualified the preceding sections—is that what you mean?—A. Well, that was the result, at all events.

By Mr. Sinclair:

Q. Would the bookmaker not turn up in some other form? You say when they were turned out of the boxes they marked time: if we stopped them marking time, would they not emerge in some other form and still do business?—A. Yes, if it were not made illegal to do it anywhere.

Q. If you leave the individual betting alone, will that not give them a chance to work in some other shape?—A. I suppose it will, and I suppose if they feel disposed they will find a way out somehow.

By Mr. Raney:

Q. That is, if the English language cannot be made tight enough to hold them?—A. Yes.

Q. I suppose that is a matter of drafting of the Statute?—A. Yes.

By Mr. McColl:

Q. If you allow a bet of any kind on a horse race, there will be some way of extending it from bets between two individuals to some system of betting?—A. I suppose it is not different to any other form of indulgence that some people select for their own gratification and enjoyment. I am not here to condemn horse racing, because I rather took enjoyment out of a good horse race, a steeplechase or flat race when I used to attend them on duty. I never went to one unless I went on duty. I am not going to condemn people because they select that class of amusement and enjoyment and that sort of thing. I want a law we can enforce without having any ambiguity about it, so that we won't be held up to ridicule because we do not do the impossible.

Q. You are not so very particular what it may be, only you want it definite and certain, whatever it may be?—A. I say that as a police officer charged with the enforcement of the law. But if it were a personal matter, I have not much use for any

man taking another man's money without giving an equivalent for it, even though the other man tried to get his money at the same time.

By Mr. Raney:

Q. Have you, in your extended experience since the Woodbine commenced operations, had before you a considerable number of cases where homes in Toronto have been ruined, and where the parties attributed their troubles to betting commenced at the Woodbine?—A. Well, various forms and classes of gambling, the Woodbine included; perhaps a considerable number of them attributed it to the Woodbine; there is no question about that, because there is a larger number frequent that place for the purpose of betting than any place else, unless you extend it over the whole year. It is done in a small way in the city throughout the whole year.

Q. I have heard the phrase 'University of Gambling' used? I saw it somewhere recently?

Mr. Moss.—Perhaps you coined it.

By Mr. Raney:

Q. No. Have you heard it before?—A. I think I did. I know the person I heard use it first, and he was a prominent official assisting me to enforce the law, or rather, I was instructing him.

Q. To what institution was it applied?—A. All of the gentlemen know. It was applied to the Woodbine. It was called the 'University of Gambling.'

Q. How does that strike you as a descriptive phrase?—A. Well, it may be extravagant, but what I said a few minutes ago in reference to the tone and respectability given thereto was that people will go to the Woodbine and start that class of business, when they would not think of doing it elsewhere, and particularly if it were outlawed.

By Mr. Moss:

Q. You are familiar with all the decisions on this branch of the law, are you not?—A. Fairly well.

Q. You are familiar with the Kempton Park case?—A. Where is that?

Q. The leading English case, 1899?—A. Only in hearing it quoted in the police court when we have had cases.

Q. You have not read it yourself?—A. No.

Q. Did you ever hear the paragraph from Lord Halsbury's judgment quoted, where he says:—

I am not certain that I appreciate the distinction, which I observe is sought to be drawn, between what are called professional betting men and other men who bet. In respect of games which people play for amusement or pay, the distinction is intelligible enough, but all betting for money, made to win money, and where it is for the sake of a living, or for the sake of adding to money which the winner already possesses, seems to me altogether an illusory distinction.

Will you agree with that?—A. I am thoroughly loyal. I know that description is what the Superior Court says.

By Mr. McCarthy:

Q. Can you remember at what time of the year it was that Orpen took you on the track and showed you around?—A. I think it was in the summer meet.

Q. It might have been in the fall meet?—A. Yes.

Q. How many years ago? You remember the fall meet used to be held by the Hunt Club?—A. Yes.

Q. And Mr. Fraser interrupted you by saying that he did not think that Orpen had the betting privileges from the Ontario Jockey Club, and he suggests it might have been in the fall meeting, when he was in control of the Hunt Club betting privileges?—A. It probably was.

APPENDIX No. 6

Q. Undoubtedly the conditions from your point of view—and you speak about as strongly as any of the witnesses we have had—would be greatly ameliorated if the law was made clear that all bookmaking of any kind, pool rooms of any kind, off the race track, was effectually stopped?—A. I may answer that in this way: that class of betting or gambling is much more extensively complained of in Toronto than the Woodbine.

Q. I want to get your opinion; you would be able effectually, as you have done with the pool room, to stop all handbooking, if it is made clear that betting by hand-book or pool room is illegal off the race track?—A. I think so.

Q. Then you know, notwithstanding the fact of this decision, that the intention of the Act of 1892 was to legalize bookmaking on the race track while a race was in progress?—A. That was the opinion of our police magistrate, and, acting under him—

Q. That is Mr. Miller's opinion. The chairman said so in a speech he made in introducing the Bill, and the *Hansard* will bear me out, and Sir Louis Davies, now a Judge of the Supreme Court, said 'You may just as well understand that by this Act you are legalizing betting on the race track.' You know the police magistrate held that opinion?—A. He was of that opinion, up to the time that the Court of Appeal rendered that judgment in the Hanrahan case.

By Mr. Moss:

Q. He loyally changes his opinion?—A. He was loyal like me.

Q. Like all Irishmen?—A. Yes.

By Mr. McCarthy:

Q. Bookmaking had been permitted from 1892 up to 1900 without being molested?—A. Yes.

Q. On that assumption?—A. Yes.

Q. The difficulty was caused when an attack was made upon bookmaking as it was then being carried on from a booth or stool?—A. Yes.

Q. And the result of that attack was to bring about the present unsatisfactory condition of the law?—A. I think that is a fair inference.

Q. If the law had been as it is supposed was intended in 1892, betting would have been permitted on a race track while the race was in operation without molestation?—A. Well, it was carried on up to that time.

Q. The change that you want is either that the Parliament should make it clear that betting on a race track is illegal, or they should make it clear it is legal, and then the criticism with reference to your police force will be done away with?—A. That is, from an official police standpoint, my opinion.

Q. As to your own personal view, if you had your way, you would wipe out any and all kinds of gambling?—A. I would not be true to my convictions, if I did not say so.

Q. I do not think you will find very many men quarrel with your convictions. Do you think you can do it?—A. That is another question. I think we can circumscribe and limit it to a minimum.

Q. You can suppress vice, even if you cannot obliterate it?—A. Yes.

Q. And in the way of obtaining these things, you do it step by step?—A. Usually we have to.

But all reforms come about in that way, in your experience. The reform which you have brought about in the last 25 years has been gradual, and step by step?—A. Yes, piecemeal, in other words.

Q. You succeeded in stamping out the pool room?—A. We did.

Q. And if the law is amended you will succeed in stamping out what is more pernicious than the pool room, namely the handbook?—A. Yes, and I may say here that we now have quite a number of convictions awaiting the result of an appeal to the Court of Appeal; we are expecting we will stamp it out with the law we have.

1-2 GEORGE V.. A. 1911

Q. As far as I am concerned, I have no objection to making the law as strong as you like in that respect? (No answer).

By the Chairman:

Q. It is contended by Mr. McCarthy and others that you cannot stamp out betting, or professional betting—

Mr. MCCARTHY.—I did not contend that, as I recollect.

By the Chairman:

Q. Is that the case? Mr. McCarthy has rather intimated that he did not say that?

Mr. MCCARTHY.—I asked the witness's opinion. I have not come to the stage to express an opinion yet.

By the Chairman:

Q. Then if you had a law that was in plain Anglo Saxon and easy to understand, forbidding betting on the race tracks through the bookmaker, would it be possible to reasonably enforce that law?—A. Yes.

Q. And suppress the betting?—A. Yes.

Q. Entirely?—A. It would; but you might bring in another condition. There are certain laws which it is exceedingly hard to enforce, I admit, unless you have a good strong emphatic public opinion to back you up in the enforcement of it. For instance, in regard to the Liquor License Act, and other Acts, even the Act for the suppression of disreputable houses, you require a strong public opinion behind you, unless you are a man of steel, and impervious to any influence, other than to go on, like the Light Brigade, into the jaws of death and into the mouth of hell. You will have up-hill work if you have not public opinion behind you.

Q. You are in a very good position to have some knowledge of what is public opinion on this very question; if there should be a law passed now to entirely prohibit race track gambling through the bookmaker, do you think there is a public opinion that would assist you in enforcing that law?—A. I am very strongly of opinion that there is already that public opinion. A reference to that paper I handed to the chairman will show to what extent the public opinion exists, particularly in three of the religious Christian bodies in the Dominion of Canada.

Q. It is not a good argument that you cannot entirely suppress a vice, that is, that you cannot stamp it out; that is not a good argument against endeavouring to suppress it as far as you could?—A. Not in my view.

Q. We have laws against murder, arson and forgery, and still murder, arson and forgery are committed?—A. Yes, but they are limited.

Q. Now, as between the business of the handbook maker in the city and the business of the bookmaker on the track, can you, either in principle, theory, or practice, see any particular difference?—A. Only in this way: in my department—the Police Department, and myself in particular—we have been held to ridicule because of our efforts, fairly successful, I think, to stamp out all the minor phases of betting of that character; it is going on in the city, but there is an expenditure of tens of thousands of dollars at the track, in place of the many cents in the city.

Q. It is greater in the Woodbine, you mean?—A. Yes.

Q. Do you mean to contend that the magnitude of the betting through the bookmakers at the track is much greater than that through the handbooks in the city?—A. There is no doubt about it, and the excuse given by others in sympathy with the smaller fry—

Q. There are those who more strongly sympathize with the bookmaker up in the city?—A. No, perhaps you misunderstood me. It is in this way: we put forth an effort to suppress the evil: for instance here is a boy, a lad of seventeen, who was found on the street making handbook a short time ago. This lad was brought into my office, and I instructed that he be charged with being a vagrant. After questioning

APPENDIX No. 6

the boy he admitted freely that his business was making handbooks, and he had some \$100 or \$125 in his possession, taken up in fifty cent or dollar bets, and he was brought up in court and kept there, and Col. Denison convicted him ultimately.

By Mr. Raney:

Q. Of what?—A. Of being a vagrant.

Q. Having no visible means of support?—A. Yes. According to his admission on his own part he made his living by hand-booking.

By Mr. McCarthy:

Q. Was the \$125 in his pocket not visible?—A. Yes, but was the making of a living by hand-booking not visible?

Q. But that is not vagrancy?—A. The section says 'Or who for the most part makes his living by gambling' or a dozen or more other practices. It went to the Court of appeal and the conviction was set aside, on the ground that bookmaking and walking around was no offence, that making handbook on the street was not an offence, and he was discharged.

By the Chairman:

Q. You say the amount of money made by the bookmaker on the track is much greater than that made by the handbook?—A. For the time being, perhaps a hundred per cent more.

Mr. McCARTHY.—During the two weeks.

By the Chairman:

Q. Then in that respect the bookmaker is the worse of the two, to that extent?—A. Well, there is where it commences.

Q. It commences with the bookmaker?—A. Yes, all the information comes from there all around, and the boys are on the street making handbook. We had a man arrested in front of the Massey-Harris place, intercepting men going to or from the works, making handbook. It was held not to be an offence and he was discharged.

Q. What would be the effect, in your opinion, of a law that would prohibit the uptown handbook, but permit the betting through the bookmaker on the track?—A. I do not think it would be by any means effective, because you would be creating all the time a new class of better. You make the one legal, and you leave the class of people to frequent the Woodbine for the purpose of betting, people who would not go there now in the questionable condition of the law.

By Mr. Moss:

Q. You would rather have the law questionable, would you?—A. You can put it that way if you like.

By Mr. Sinclair:

Q. It only lasts thirteen days?—A. About twenty.

Q. Thirteen days in the spring, and the other is going on the whole year round?—A. To that extent it is worse.

By Mr. McCarthy:

Q. Have you not lost sight of this fact: the man at the Woodbine is only betting for twenty days on races taking place there: the handbook man is betting on horse races in the states all year round; it is a pure gambling proposition. He does not see the horse, and he is in quite a different position?—A. I think it is exceedingly serious.

Q. To that extent he is much different from the man who bets on the race track, who has an opportunity to see the horses and see the race?—A. I think if a man goes to the Woodbine, and, from his judgment of horselflesh, will select a horse, and put up a bet with his friend, using his own judgment and knowledge of that sort of thing,

it is certainly to my mind not half as bad as a man going it wild, betting upon chance, and there are a dozen ways by which he can be fooled.

Q. Then the Chairman asked you if the amount of money bet at the Woodbine was greater than the amount of money bet in the handbook, and you said yes, a great deal more. Do you mean in the same space of time? You mean that taking ten days of racing at Woodbine, the betting there would be heavier than in the handbook?—A. Up to recently there was not much of the handbook making in the city. The hand-book commences to be exceedingly prosperous or numerous after that decision in the Court of Appeal.

Q. The amount of money bet in the handbooks in the city of Toronto the year round would be a great deal more than at the race track?—A. If the example given by Inspector Duncan is anything like approximate, it would be so.

By the Chairman:

Q. If you cut off the betting through the handbook up in the city, would you decrease or increase the amount of betting done with the bookmakers at the track?—A. Provided it was legalized, by all means, yes.

Q. You would increase the betting?—A. Yes, because there would be practically a monopoly of people, who would not, under the circumstances, be seen making a bet with a handbook, who would go to the track.

By Mr. McCarthy:

Q. It is legal now. That is not a fair proposition. It is perfectly legal to go down and bet with one man, the way they have been operating?—A. I do not think so.

Q. The courts have so held?—A. Very often doctors differ and patients die.

Q. You are one doctor and Lord Halsbury is the other?—A. Yes.

Q. When a man is moving about he is not in a place?—A. The Supreme Court have not pronounced upon that aspect.

Q. The Privy Council have also?—A. If that is the Lord Chief Justice who said that if a man lifted an umbrella, and stood under it, and made a bet, it would be a place, and it would be an offence against the law of England—

Q. I do not know whether he did that or not?—A. Well, one of them did.

Q. The law is settled in the Privy Council in the Kempton Park case and has been followed in our own courts in the case you speak of, and that is the basis of the decision. At the present time under the law it has been decided that the betting carried on in the Woodbine is legal?—A. We have discontinued bringing any further cases into court, whilst the law stands as it is.

Q. I do not think it is fair for you to say the people do not regard the betting at the Woodbine as legal, because they do?—A. I do not think any fairminded person would conclude that it is legal now.

By Mr. Moss:

Q. The Court of Appeal have?—A. The Court of Appeal notwithstanding in that regard. It was the Court of Appeal that outlawed it a few years ago, and we were following the decision of the Court of Appeal in getting convictions, until they took another turn and took up a technical point and flew off.

Q. Do you agree with Inspector Duncan that, so far as betting was concerned, that it was better for the individual, if he could afford it, it was his own business if he chose to risk his money that way, or do you take the higher moral ground than that?—A. I agree with him in that regard, that a man has a perfect right to do as he likes with his own, but if his action with his own money is illegal he should be restrained.

Q. That is a question of morals as an individual. Are you offering an opinion on that?—A. Perhaps you had better not ask me many questions on the moral aspect, or you will be surprised.

APPENDIX No. 6

Q. If the committee can stand it, I can?—A. I do not know so much about it, but I will tell you that if you get a hall I would be quite willing to give you an hour's lecture.

By Mr. Counsell:

Q. From your knowledge, what is a bookmaker? How do you distinguish a bookmaker from anyone who bets at the Woodbine?—A. I have been only once there in 25 years. I could tell you how I saw it done when I used to go there, and how it was done on that occasion, and I do not suppose there is one around the board that does not know as well as I do what a bookmaker is, and what it consists of.

Mr. RANEY.—The dictionaries tell you.

By Mr. Counsell:

Q. How would a private individual become a bookmaker?—A. There are different kinds of books. Do you mean a distinction as to the handbook making and the bookmaking at the Woodbine which is claimed to be legal?

Q. How would you define a bookmaker?—A. It is the man who is responsible for taking in bets and paying out on the result after the race is over.

Q. A private individual does that, if he makes a bet?—A. If you go to a private individual and put up \$5 on a horse, and particularly if you go to a third party and you each put up \$5, which is to go to the winner, I do not call that bookmaking.

By Mr. Sinclair:

Q. Supposing the same man went to another party and did the same with him; supposing Tom Jones goes to twenty different parties and puts up five with each?—A. Then he becomes an offender.

Q. Is he a bookmaker then?—A. Yes.

Q. How are you going to allow a single individual to exercise his privilege of betting, and still not allow the bookmaker to come in?—A. As I understand it, the man who makes a business of it is a professional. When two gentlemen bet individually, or for their own amusement, I would not call it gambling, or would not call it professionalism, but the man who makes it a business, who will go to one and another and perhaps to 25 in three hours, and make bets with them, I call him a professional.

Q. That is what the bookmaker does now on the race course in Toronto?—A. Yes.

Q. Assuming we pass this Bill and we do not decide to prosecute an individual better, a man who puts up his money individually, will you be any better off? Will the bookmaker not get in still?—A. You would have to define very clearly, so that those who run may read what was legal and what was illegal.

Mr. RANEY.—The Bill as drafted prohibits not only bookmaking, but the business of betting.

Mr. COUNSELL.—And the Bill as drafted prohibits individual betting.

Mr. RANEY.—You are quite in error. It prohibits bookmaking and the carrying on of the business of betting. What is bookmaking and what is the business of betting will be for the courts to determine.

WITNESS.—If you will allow a little digression, I think everyone who makes a business of betting ought to be made run.

By Mr. Counsell:

Q. If I am betting on a race, and have \$50, and go round to different people and bet \$5 with each of them, say ten men, I become a professional bookmaker?—A. I think the law should prohibit that.

Q. It is all right if I bet \$50 with one person, but if I bet with different people——
—A. You make a business of it.

By Mr. Moss:

Q. By looking at Mr. Counsell's face, could you tell he was a professional?—
A. No.

By Mr. McCarthy:

Q. The betting at the Woodbine continues from two o'clock till five?—A. Yes.

Q. And it goes on for twenty days in the year?—A. Yes.

Q. That is 60 hours in the year?—A. It would be more than that.

Q. Three times twenty?—A. It starts at two and stops at six.

Q. At five?—A. They have changed it a little.

Q. The bookmaker opens a little before the first race?—A. Yes.

By Mr. McColl:

Q. Half an hour between each race and six races a day?—A. Yes, sometimes seven.

By the Chairman:

Q. You agree with Inspector Duncan as to the number of cases which have come up in court of embezzlement from betting on the horse races?—A. I think he is quite within the mark, and I knew the particulars of those cases he spoke of, in almost every instance.

Q. Not referring alone to those particular cases cited by Detective Duncan, but the class of cases that come before your notice, would you say the larger number of them arise from betting on the race track, or does a larger proportion of them come from betting with the handbook men up town?—A. By long odds the larger proportion from the Woodbine; no question about that.

By Mr. McCarthy:

Q. As to those cases, do you know whether those people who came to you had not begun to misappropriate before they began to bet?—A. In the majority of cases the trouble was with betting. It was attributed to that.

Q. But do you know whether they misappropriated and became defaulters before they commenced to bet?—A. In some cases it was so.

Q. And in some cases not so?—A. Yes.

Q. It would be more natural for the man to say, 'I went wrong through betting on the race track' than to say, 'I went wrong and then took to betting'?—A. Every person will have an excuse.

Q. We had one case, Harbottle; he was betting latterly, but he never made bets of any size until after he became a defaulter?—A. That I have no personal knowledge of.

By the Chairman:

Q. No one would expect that a man of good principle and great force of character would become an embezzler from any cause?—A. No.

By Mr. McCarthy:

Q. But if he becomes a defaulter first, and then, to make it up, makes a plunge on the races or in the stocks, you cannot blame the races or stocks?—A. No.

By the Chairman:

Q. No, but you can blame the Woodbine if he commenced there. That would be impossible for anyone to answer.

By Mr. McColl:

Q. Do you know about that Jessie Alexander case?—A. I know of such a case having gone through.

By the Chairman:

Q. Did she come from Cobourg?—(No answer).

By Mr. McColl:

Q. Since the morning I have been informed that she did not come from Cobourg,

APPENDIX No. 6

but originally from Trenton; that she was living with a Jew on Queen street, in Toronto, and was not an angel that was led astray at the race track?—A. Well, that may be certainly. I do not know anything about that.

Q. In fact, she was a bad character before she got to the race track?—A. Well, she was a bad character by the time she got to the police court.

(The Committee then adjourned until Tuesday next.)

COMMITTEE ROOM No 32,

HOUSE OF COMMONS,

TUESDAY, February 1, 1910.

The Committee on Bill No. 6 met at eleven o'clock a.m., the Chairman, Mr. Miller, presiding.

The CHAIRMAN.—Gentlemen of the committee and solicitors who are present will remember that at the last meeting the committee asked the solicitors to put in the names of the witnesses they would wish to have summoned, and it was agreed that no other witnesses should be called. Since then Mr. German has asked that Mr. Mains, the chief of the Ontario police of Niagara Falls, and Mr. Keyes, chief of the Ontario police at Fort Erie, and Mr. J. J. Foster, reeve of Fort Erie, be called to give evidence in regard to Fort Erie track. Mr. Meredith, who was not here when that arrangement was arrived at, has asked that Mr. J. R. Carrington, chief of the Thiel Detective Agency, Montreal, and Mr. Pender, of Montreal, be summoned. I refused on my own responsibility to call any other witnesses than those agreed on at the last meeting until the committee should meet this morning and decide whether they would call any further evidence.

Mr. A. H. BEATON, Toronto.—I have been asked by the light harness interests to represent them, and I would ask that the committee hear evidence in their behalf. They feel they are materially affected by the Bill as it now stands.

The CHAIRMAN.—They are appearing at a very late date, I should think. What witnesses would you want to call?

Mr. BEATON.—I think probably four or five witnesses; I could not give you the names offhand.

The CHAIRMAN.—We thought we could get through to-day and to-morrow. Could you have your men here to-morrow?

Mr. BEATON.—I could have my men here to-morrow.

Mr. GERMAN.—Mr. E. T. Malone, K.C., solicitor of the Niagara Racing Association, is here, and he tells me that so far as the association is concerned they won't care particularly to have those gentlemen I mentioned to you yesterday, Mr. Chairman, subpoenaed unless the committee desire to have them brought here. Mr. Malone has no desire to have them called.

Mr. RANEY.—I am informed that some of the persons mentioned by Inspector Duncan in his evidence as having been the victims of the Woodbine, if I may use that phrase, some of the people affected in that way are available as witnesses and will come here if they are sent for. I thought I ought to make that statement to the committee, but I am not asking nor pressing that they should be sent for.

The CHAIRMAN.—What is the will of the committee as to summoning witnesses from Montreal. It is understood that Judge Robidoux, whom the committee had agreed to hear, cannot be present, and it is asked that those two witnesses whom I have named be called, largely in place of him.

Mr. MONK.—I move that they be summoned by telegram; they are willing to

come, but they want to have the authority of this committee; if necessary they can be here to-morrow.

Motion adopted.

Mr. MCCARTHY.—I think, Mr. Chairman, we should bear in mind that the law as it stood was intended to and did cover the trotting tracks, but it was never put in force; it has been a dead letter so far as the trotting tracks of Ontario, of which there are some 90, were concerned. I think it is fair to assume that the trotting men understood that this Bill left matters in-so-far as they were concerned in the position in which they formerly were, and that they have only recently awakened to the fact that their interests were affected when they became aware of the stringent nature of the Bill which is now before the committee, and they now realize that it may cause them some trouble if passed.

The chairman read a letter from the Hon. Mr. Decarie, Minister of Agriculture, of Quebec, received this morning stating his inability to attend.

Mr. MONK.—Perhaps we might adopt the same course as we have adopted with regard to certain officials in Ontario, counsel might agree on questions to be put to Hon. Mr. Decarie and his replies might be taken before a party authorized to receive the answers under oath and transmit them to this committee. I know it is very difficult for the Hon. Mr. Decarie just now on account of his ministerial and other engagements to be here.

The CHAIRMAN.—Do any of the solicitors desire that?

Mr. MEREDITH.—As far as the Montreal Jockey Club is concerned I would like it for this reason that Mr. Decarie is Minister of Agriculture, and as I understand, I may be wrong, he is member for that particular county in which the Jockey Club's track is situated.

The CHAIRMAN.—At any rate you desire it, you have no objection to that Mr. Raney?

Mr. RANEY.—I would go further, I would be quite content to allow a letter written by the Hon. Mr. Decarie to be put in.

The CHAIRMAN.—That is satisfactory to you Mr. Meredith?

Mr. MEREDITH.—Yes, I would not have liked to ask for a letter to be accepted. Because I would not like to have the precedent established of letters being put in as evidence in that way but if my learned friend consents I am satisfied.

The CHAIRMAN.—A letter has been received from Toronto advising me that Mr. G. Stuart Houston, of Toronto, was taken ill with typhoid fever last Thursday and will not be able to come to Ottawa to give evidence. The letter says that he is so ill that no one is allowed to see him at all.

Mr. RANEY.—Would you permit me to ask, Mr. Chairman, whether the books of the Niagara Racing Association and of the Windsor Racing Association have been received by the clerk of the committee?

The CLERK.—No.

Mr. RANEY.—Or any statements in regard to them?

The CLERK.—Mr. Malone has come here to represent the Niagara Racing Association.

Mr. RANEY.—Has he produced any statement in regard to the Niagara Racing Association.

The CLERK.—No.

Mr. RANEY.—Nobody is here representing the associations—the Niagara and the Windsor.

Mr. MALONE.—I represent the Niagara Racing Association.

Mr. RANEY.—Then there is no one here to represent the Windsor Racing Association?

The CLERK.—No.

Mr. RANEY.—Mr. Malone, of Toronto, represents the Niagara Racing Association and Mr. Counsell of Hamilton, says that he has instructions to appear for the Windsor

APPENDIX No. 6

Racing Association. Then I ask now that Mr. Malone and Mr. Counsell produce the books of these Associations and the information called for by the subpoenas that were issued to the officers of the associations in question.

Mr. MONK.—What is the object of the production of the books?

Mr. RANEY.—The same object that I think has been accomplished by asking for this information from the Woodbine and the Hamilton Clubs.

Mr. MONK.—Are they willing to produce the books?

Mr. MOSS.—What is that object?

Mr. McCOLL.—I have not found it yet.

Mr. MONK.—I can understand your wishing to find out what profits they have derived from the bookmaking branch of the race course particularly, and if they do not object to producing all their books and papers I have no objection to offer.

Mr. RANEY.—I think the committee will agree with me that I have not been unreasonable in the case of the Hamilton or Woodbine Clubs, and I don't want to be unreasonable with the other racing associations, but I want the same information from the latter as from the two first named clubs.

The CHAIRMAN.—Who is the first witness to be called this morning?

Mr. RANEY.—I think the matter under discussion should first be settled. I desire the production of books and statements from these two associations, called for by the subpoenas served upon their officers. ,

Mr. MALONE.—Will the committee allow me to make a statement? While I am here representing the Niagara Racing Association as their solicitor, I am in a very peculiar position as I had no idea that I was coming here until yesterday afternoon. I would like therefore, if you would bear with me for a few minutes and allow me to give you the statements put in my possession by Mr. Madigan, President of the association, which you can take for what they are worth.

The CHAIRMAN.—Have you the books, or access to the books?

Mr. MALONE.—I have not. I was going to give you the reason and I think I can show you a very good reason.

Mr. RANEY.—If the statement goes no further than that I have no objection, but I do not want the statements of Mr. Madigan.

Mr. MALONE.—I think you can dispose of me in a few minutes. I have not the books but if you will allow me I can give an explanation to the committee. I have got the headings down in a memorandum so as to make the explanation as short as possible. First let me give the purport of a telegram which came to me from Houston, Texas, on either Thursday or Friday last. That telegram was from the Secretary of this committee, Mr. Howe, and addressed to John H. Madigan, Buffalo. (Reads):

OTTAWA, ONT., January 26, 1910.

JOHN H. MADIGAN,

C/r Iroquois Hotel,
Buffalo, N.Y.

Committee to prohibit race track bookmaking request the production of the books of the Niagara Racing Association at once. Does the Association intend being represented before the committee? Answer.

(Sgd.) THOMAS S. HOWE,

Clerk of the Committee.

After that I got word from Houston, Texas, that Mr. Madigan had already received word that he would be required to appear before the committee, and was on his way north. I then answered Mr. Howe's telegram as follows: (Reads):

Purport of your telegram to John H. Madigan, Houston, Texas, forwarded to me as solicitor of the association. Can attend committee Tuesday next. Wire me particulars of statements required. Impossible to get all books together for production before week after next. If statements will be satisfactory Tuesday, wire me full particulars.

(Sgd.) E. T. MALONE.

1-2 GEORGE V., A. 1911

This, Mr. Howe sent me. On Saturday I received a printed copy of the requirements, the statements of money from gate receipts, and so forth, for the last six years, and numerous other things. I was unable to find Mr. Madigan, after telegraphing to various places, including Buffalo. We got him after his arrival at Toronto on Saturday morning a very sick man. Mr. Madigan, you must bear in mind, came all the way from Houston, Texas, in order to attend before you gentlemen. He lives in this country with his family from the first, or second, or third of April—the beginning of April anyway—until the first day of November, when he goes south. It is absolutely necessary for him in the state of his health to live in the south. Of course he has property there, but he is an old resident of the town of Simcoe, county of Norfolk, Canada. Last year we got him up on business in the month of March, but as the result of bringing him up into this northern climate he went back with pneumonia and was sick for six weeks; but we did not anticipate anything like this until he arrived. I think Mr. Moss and Mr. Fraser, when he arrived in Toronto, went to see him in his bedroom, and they will bear me out in saying that we met a very sick man. The intention was for him to accompany me down here on Monday, but fearing the consequences we sent him back to Buffalo, where he had a family physician, and where he had friends, in order that he might be looked after. That was on Saturday night.

The CHAIRMAN.—You have not brought Mr. Madigan; what information have you?

Mr. MALONE.—I wished to explain why Mr. Madigan is not here to-day. It is not that he desires to avoid coming here at all, but he had no books except private memoranda in his possession.

The CHAIRMAN.—Why has he not produced the books?

Mr. MALONE.—Because the secretary of the association has the books.

Mr. RANEY.—He was summoned.

The CHAIRMAN.—Why is the secretary not here?

Mr. MALONE.—The books are at Bridgeburg, the head office. They should be there, and I suppose they are there. He has certain books in his possession, but we wish to give the committee the whole of it in order to present the information required. I telegraphed and tried to find the secretary. After telegraphing everywhere I received this telegram:

Hochmeister down in Alabama hunting. Cannot reach easily. May take a week before he could get there.

I wish to say that I have telegraphed to get him here. Now, Mr. Madigan expresses great anxiety to be here, but he gave me these particulars (referring to typewritten statement), which he stated I might place before the committee as coming from him.

Mr. RANEY.—Before that information is placed before the committee and public, I would like to see it, coming as it does in this way. Of course if it were evidence it would be different.

Mr. MONK.—What is the nature, or general purport, of the information which you wish to lay before the committee?

Mr. MALONE.—To the best of his ability, Mr. Madigan is endeavouring to answer some of the questions that were asked by the committee, and to give the desired information.

The CHAIRMAN.—Then this information would only be from Mr. Madigan's recollection, and not from any examination he has made of the books.

Mr. MALONE.—Oh, yes. You must understand that he is president of this association, so that there are some matters that he is conversant with.

The CHAIRMAN.—Cannot we get the books, are they accessible if in Bridgeburg?

Mr. MALONE.—We are still in communication or correspondence in order to try to get these books that you wish to have produced. We have no desire to avoid producing the books. You can have them if we can get Mr. Hochmeister.

APPENDIX No. 6

The CHAIRMAN.—You can send down the books in two or three days and the statements asked for.

Mr. MALONE.—I trust so. I do not wish to make any promise. I am trying to tell you what we are doing to find the man who has charge of them. You understand that after the close of the season the secretary is not here, and both the books and the statements are at the head office. He has some of the books away with him to collect fines and other things. We have to depend upon him, to find him, in order to get the information.

Q. You would be able to get a statement from some person who would be able to give us a statement of the receipts and expenditures generally, the advance information, and the gate receipts, so that we would be able to form an opinion whether it is absolutely essential to have money from the bookmakers to continue the race track or not?—A. All I can say, as instructed by Mr. Madigan, is that we are endeavouring, and will if possible give the Committee that information to get it.

By Mr. Raney:

Q. What I want to point out to the Committee and to Mr. Malone is that there must surely be some other persons besides the secretary who has access to those books; there must be the bookkeeper, for instance?—A. But the secretary is the main man.

Q. Do I understand Mr. Malone to say that the books will be locked up in some safe somewhere, and that nobody has the combination except the secretary?—A. I cannot answer all your question, but they are locked up in the safe and Mr. Hockmeister has control of the books.

By the Chairman:

Q. I do not think there is any use in taking up the time of the Committee getting information such as you offer us this morning, Mr. Malone, because if the books are at Bridgeburg you can get them. I think we had better not take up the time of the Committee further with that matter at present?—A. I would like you, Mr. Chairman, while I am here, to permit me to lay before you what this man says. He is very ill and cannot be here, but it will be interesting in some respects so far as the Fort Erie track is concerned.

Q. We are not here to be interested, but to get reliable information?—A. This information that I have here is reliable; it may be relied on.

The CHAIRMAN.—Probably you had better discuss this matter with Mr. Raney and we will take another witness in the meantime.

Mr. RANEY.—Will counsel produce the books of the Windsor Racing Association.

Mr. COUNSELL.—I am in communication with the Windsor Racing Association now and expect to be able to give an answer to-day.

Hon. WILLIAM TEMPLEMAN, called and sworn.

By Mr. Raney:

Q. You reside in Victoria?—A. Well, when I do not reside in Ottawa I propose to reside in Victoria.

Q. And Victoria and Vancouver had a baptism of bookmaking, I understand, racetrack gambling, last year?—A. I can speak from personal observation in Victoria, and I have heard of Vancouver.

Q. You speak from personal observation so far as Victoria is concerned?—A. I want to explain, Mr. Chairman, that I may be only a very indifferent witness, my knowledge of horse racing, bookmaking and gambling generally is of a very superficial character.

Q. Second hand you mean?—A. It is second hand very largely. I was present

in the city of Victoria through that famous racing meeting, as we used to say, of sixty days, I think it was a few days less than that, I was on the race track only on two or three occasions. It is more the astounding fact that there was a sixty days' race meeting in the city of Victoria that impressed me than anything else, although I saw the bookmakers at work in the field, or in the enclosure adjoining the grand stand.

Q. Did they have, may I ask you, booths or were they moving around?—A. Oh yes, they had a booth, they had a covered shed, the front being open.

Q. Each one occupying a distinct place?—A. No, hardly a booth, it was all one long room or shed, there were no compartments in it; they were within the length of this table of each other, each bookmaker being on a stand, and having his signs up as usual.

Q. All his paraphennalia?—A. I do not understand it really, but I understood them to be the odds on the horses. Will you permit me to make a general statement. I am afraid I am not much of a witness in this matter, as I do not know anything about the details of bookmaking; I have made bets on horses occasionally, but I never bought a pool in my life, so I do not know the *modus operandi* at all. In Victoria we have had small race meetings of two or three days, possibly a week, for many years; sometimes they were successful and sometimes they were unsuccessful, because we haven't a great many local horses. With regard to this particular race meeting, what struck me was the fact that some 400 or 500 horses were brought into the city of Victoria from across the boundary line coming, some of them from Seattle, but I suppose that a lot came from all over the United States; following the race meetings. And they continued that race meeting for nearly 60 days; they called it 60 days, but I think it was a little less, certainly it was over 50 days. That race meeting was very largely attended, it was attended by the young and old of both sexes and I think all gambled more or less. It was an extraordinary event in a city like Victoria, which is not a very large city, having some 40,000 or 50,000 people and very little country around to draw people from, unless they came from Seattle or Vancouver. I know that the bookmaking was general. There were some six or eight bookmakers on the stand all the time, there were six or eight stands. I know this largely from information I have received, that young men indulged in bookmaking to a very large extent, and on creditable information I believe that a great many of them went broke. That, in a general way, is about all I know about it.

Q. Can you give the committee any idea of the conditions produced in Victoria by the race meeting either from a financial or economical point of view, or from the moral point of view?—A. We will not speak of the moral point of view, on which I think the committee can draw its own conclusions. Financially, I believe, the race meeting was a detriment to the city of Victoria; that is my honest conviction, and I have arrived at that conclusion from the statements made by our leading citizens. I have correspondence, I do not know if it is evidence, in support of that opinion.

Q. I am going to ask you whether there is in Victoria any public opinion on this question?—A. Yes, there is a distinct pronounced public opinion.

Q. How do you know that?—A. By conversation with people and from a number of letters written at my own solicitation by leading citizens.

Q. And what is that opinion?—A. It is very strongly against the repetition of the scenes we had last summer.

Q. Are these some of the letters you have received from this source (handing documents to witness)?—A. Yes.

Q. And do you produce them?—A. I might say that these letters were obtained practically at my own invitation because I wanted to be advised on that particular point.

Q. Will you read those letters and state who the writers are?—A. Mr. C. Spencer is the manager of David Spencer Limited, the largest mercantile establishment in Victoria. He writes as follows:—

APPENDIX No. 6

DEAR SIR,—*Re* the race meeting in Victoria last year, we are of the opinion that the races were detrimental to the best interests of the city, to business generally, and to our business in particular.

Yours truly,

DAVID SPENCER, LIMITED,
per C. SPENCER, Director.

That letter is addressed to me.

By Mr. Monk:

Q. What business is that firm engaged in?—A. They are the large departmental store; theirs is a general departmental store.

By Mr. Blain:

Q. Was that in reply to a letter written to him by you, Mr. Templeman?—A. Yes, I think I wrote a letter to a friend of mine in the city of Victoria asking him to get me the opinion of a number of the leading men there. That was in reply to his invitation at my request.

By Mr. Monk:

Q. Can you tell the committee who that gentleman was?—A. Oh, yes, it was Mr. R. L. Drury. I think there is a letter from him here; I am not sure. Proceed, did you say?

Q. Yes, if you please?—A. Heisterman, Forman and Company are the oldest firm of insurance, financial and estate agents in the city of Victoria, or one of the oldest, because they have been established there for thirty or forty years. They say. (reads):

VICTORIA, B.C., December 31, 1909.

DEAR SIR,—We have been asked to give an expression of opinion as to the effects of the race meet of last summer on the city, and in reply we beg to say that in our opinion it was injurious in every particular, and we would be very sorry to see another affair of that kind held in this city.

Yours truly,

(Sgd.) HEISTERMAN, FORMAN & Co.,
per JAS. FORMAN.

There is a letter from Robert S. Day and Beaumont, Beaumont Boggs, real estate agents, as follows. (Reads):

VICTORIA, B.C., December 31, 1909.

MY DEAR MR. TEMPLEMAN,—Mr. Drury has asked me to express in writing my opinion of the effect of the race meet which was held in Victoria last summer.

As you may know, I have at various times acted as secretary for the horse meets and other festivities. I have no hesitation in expressing to you my candid opinion that the last race meet held here had a decidedly injurious effect upon the city and its inhabitants. This undoubtedly was owing to the gambling by open bookmaking, and although I am not what you would call straightlaced, I should be very sorry to see a repetition of the meet held here last summer, for I firmly believe that the bookmaking should not only be discountenanced, but made illegal.

Wishing you the compliments of the season, believe me,

Very sincerely yours,

(Sgd.) BEAUMONT BOGGS,

The next firm is Weiler Brothers. They are the largest crockery, glassware and general house furnishing firm in British Columbia, I think without one exception, and one of the oldest firms in the city. Their letter is as follows. (Reads):

1-2 GEORGE V., A. 1911

VICTORIA, B.C., December 31, 1909.

DEAR SIR,—Having been requested to state my views in regard to the recent race meet held in this city last summer, I am very strongly opposed to them and hope you will use your influence at Ottawa to have such meets discontinued in this province.

The degrading influence that such meets have on the youth and unwary, is in my opinion without question, bringing them with a class of the lowest type of gamblers and sure thing men to prey on all classes and I hope and trust that we may never have them here again.

Horse racing may be a noble sport if carried on for a few days, but when controlled by a lot of gamblers and continued steadily for two or three months, is a disgrace to any civilized community, in my mind.

Yours sincere,

(Sgd.) OTTO WEILER,
Mgr. Weiler Bros.

The next letter is from E. B. Marvin and Company, Ship Chandlers. Mr. Marvin, I may say, is a pioneer in British Columbia. The letter reads. (Reads):

VICTORIA, B.C., December 31, 1909.

SIR, We would strongly urge the passing of a Bill by the Dominion Government which will stop gambling on race courses.

The effect of the recent meeting in this city, at which a great deal of gambling was carried on, should convince anyone that it does great harm to the community. Money is staked and lost, which should have gone to pay just debts, which injures the storekeeper and general business men. Besides this, the habit of gambling is most demoralizing for both men and women and we feel sure a law against the practice of it will be a benefit to the community generally.

We are, sir,

Yours obediently,

E. B. MARVIN & Co.

Next is a letter from Wescott Brothers, importers and dealers in staple and fancy dry-goods. (Reads):

649 YATES Street, Victoria, B.C.,

DECEMBER 31, 1909.

DEAR SIR,—I understand that a Bill is soon to be introduced into the House of Commons, looking to the prohibition of race track gambling in Canada. As one of the city's business men, I desire to say that in my opinion the sixty day race meet which was held here last summer, was detrimental in many ways. In my own business we had several instances of parties who purchased goods and confessed that they were unable to pay for them, on account of having lost money on the races.

Business generally was affected disastrously, and we found it practically impossible, to make collection from the parties prior to the race meet we considered to be reliable and valuable customers.

May I respectfully ask that the contemplated legislation for the suppression of race track gambling receive your hearty support for I believe that it will be to the best interests of the country.

I have the honour to be,

Respectfully yours,

(Sgd.) E. E. WESCOTT.

The Brackman-Kerr Milling Company. Mr. David Kerr is the biggest provision dealer, unquestionably in British Columbia, and he is rather inclined to horse racing himself I think. (Reads):—

APPENDIX No. 6

VICTORIA, B.C., 30 December, 1909.

DEAR MR. TEMPLEMAN,—Mr. Drury has requested me to express in a few lines the opinion I formed as the result of the sixty day race meeting held here last summer, and whether it could be considered as benefiting the town.

In reply to this I have no hesitancy in saying that the law, if necessary, should be amended so as to prohibit any race meeting operating longer than fifteen days, say within two months. There are, of course, certain benefits in the circulation of money among store keepers and feed dealers by an extended meet, but this is more than offset by the harm that is done by the dishonest practices of these individuals, whom it seems impossible to keep straight, if permitted to run a meet for any length of time.

I don't wish you to understand from the above that I think any legislation should be approved of that will be the means of interfering with the good honest old sport of horse racing, but it seems necessary and it should be, if possible, so handled that the public will be able to see the best horse win.

With kindest regards,

Yours very truly,

(Sgd.) D. R. KERR.

Mr. Kerr is a very large dealer in hay, grain, flour and feed, and was, I believe, the contractor for the supply of the horses at that race meeting, and therefore his evidence is of the more importance as he had great financial interest in the presence of horses in the city of Victoria. The next is a letter from Mr. Taylor of the Merchants' Bank of Canada. (Reads):

VICTORIA, B.C., Dec. 31, 1909.

DEAR SIR,—I have been asked to give my opinion as to the desirability of holding a sixty day race meeting, similar to one held before and in reply would say, there is no doubt to my mind, that there is no benefit to be gained by anyone except the bookmakers. I should be very sorry to see such a meeting again held here.

Yours faithfully,

(Sgd.) R. A. TAYLOR,

Manager.

Redfern and Sons. Mr. Charles E. Redfern was for several years Mayor for the city of Victoria, and one of the prominent diamond merchants, jewellers, &c. (Reads):

VICTORIA, B.C., December 30, 1909.

SIR,—Understanding that you wish to have an expression of opinion upon the race meet held in Victoria for nine weeks during the past summer, I can only say that it was, in my opinion, one of the greatest evils ever inflicted upon the city.

Its moral effect was debasing and degrading, and it was very detrimental to the business of the city, the evil effects being felt for months after the close of the meet.

I am not opposed to horse racing as a sport, and do not think any objections can be raised against their being held at fairs or similar exhibitions, but even then they should be limited to a week or ten days at the most.

I am, sir, yours faithfully,

(Sgd.) CHAS. E. REDFERN.

Letter from Moore & Whittington, contractors and builders. (Reads):

VICTORIA, B.C., December 30, 1909.

DEAR SIR,—In response to your request to us as employers of labour for our experience and views in connection with the recent race meet held in the city, we must state emphatically that we believe it to be detrimental to the financial and moral interests of the city.

1-2 GEORGE V., A. 1911

Some of the workmen left their work and neglected their families for the summer and attended the races regularly, others incurred heavy liabilities, other men were arranging to build homes, but lost their money at the track. When out collecting accounts it was a prominent excuse 'I have not got the money. I lost it out at the races.'

We express the hope that race meets, as we experienced them here, will be a thing of the past.

Yours respectfully,

(Sgd.) MOORE & WHITTINGTON.

This firm built houses and sold them. I am not familiar with the writer of the next letter, which is dated from McGill University College, Victoria. (Reads):

VICTORIA, B.C., December 30, 1909.

DEAR SIR,—I wish to state most emphatically that, in my opinion, 'Horse Racing,' as conducted in Victoria last summer, accompanied as it was by open gambling and the usual vices connected therewith, was decidedly pernicious in its effects, especially in the case of the young men and women of this city. It led many boys and girls astray and was unsettling to the characters of others at a time when it was most important that the best influences should be at work to form them aright. I, therefore, as the head of an institution whose aim it is to educate and train young men and women to become useful and honourable members of society, am strongly opposed to such a 'meet,' and think that the state should not hesitate to prohibit the same.

Yours respectfully,

(Sgd.) S. J. WILLIS.

By Mr. Raney:

Q. That letter is from the Principal of McGill University College, Victoria?—A. McGill University College. Then a letter from the Staneland Company, manufacturers of paints, &c. (Reads):

VICTORIA, B.C., December 30, 1909.

DEAR SIR,—Mr. Drury has asked us to express our opinion with reference to the horse racing, which was held here this year.

We wish to state, that in our opinion, the protracted race meeting held here during the present year, did not serve the best interests of the city at large.

We trust, therefore, that some change will be made in the coming year.

We are,

Yours truly,

(Sgd.) The STANELAND COMPANY, LTD.,
W. E. STANELAND,
Managing Director.

Parfitt Bros., Contractors and Builders. (Reads):

VICTORIA, B.C., Dec. 27, 1909.

DEAR SIR,—In regard to race track meets and its effects. Our firm considers it a serious detriment to our city, such as was here in Victoria last season.

Yours truly,

(Sgd.) PARFITT BROS.,
Per J. PARFITT.

Johns Bros., Grocers and Butchers. (Reads):

VICTORIA, B.C., Dec. 28, 1909.

'DEAR SIR,—We consider the race meet held here last summer distinctly

APPENDIX No. 6

detrimental to the city, both morally and commercially. We would very much regret its recurrence and would do anything in our power to prevent it.

Yours very truly,

(Sgd.) JOHNS BROTHERS.

This is from the British American Paint Company, Mr. J. C. Pendray, Manager, a very large and important firm, and an old firm.

DEAR SIR,—Mr. Drury asked us to write you our opinion with reference to horse racing and the result of the last meeting which was held in Victoria during last summer.

We feel very strongly on this point and might say that we would not have any clerks in our employ who made a habit of attending horse races, where gambling is permitted like the last summer meeting. It not only puts temptation in their way but takes their minds from business so much that they are almost unfit for work after they once become interested in horse racing. We would like to see gambling or betting on horse races cut out entirely.

Yours very truly,

THE BRITISH AMERICAN PAINT COMPANY,
J. C. PENDRAY, *Manager*.

Mr. W. H. Bone, of T. N. Hibben & Co., books, stationery, office supplies, &c., writes:—

DEAR SIR,—I understand you wish for an expression of opinion from members of the representative business firms of this city *re* the good or ill effect of the race meet held here last summer. I desire, as a member of the firm of T. N. Hibben & Co., established in this city since 1858, to express my firm conviction that the race meet was most detrimental to the welfare of our city both morally and financially, and I would be pleased to hear that your government has enacted such legislation as will make it impossible for a repetition of our experience of last year. I am, dear sir,

Yours respectfully,

W. H. BONE.

C. A. Fields, of J. C. & C. A. Fields, writes:—

DEAR SIR,—Regarding the horse racing and gambling that took place in Victoria this year would state: I am an American now living in Canada, and have seen the bad effects in United States of gambling there. Now, inasmuch as the people of the United States have stopped horse racing and gambling in the principal states of the union, it being looked upon as a curse to the community. Canada cannot, as a young nation, afford to have the class that follows horse racing and that made it so objectionable in the United States come into its midst, spreading its baneful influence. The class that follows horse racing are an objectionable class to have in any community, as the writer personally knows several cases where families were left in want in Victoria through men who had never gambled before attempting to beat the gamblers at their own game.

Therefore, as a citizen of Victoria, I earnestly request that such laws be passed that will make it impossible for horse racing to exist in the province.

Most respectfully,

C. A. FIELDS.

Q. Did you read a letter from Challoner & Mitchell?—A. It is not here.

Q. You did not read it?—A. No.

Q. Do you know them?—A. Yes, they are very large jewellers, well established in Victoria.

Q. I will not trouble you to read that now, it is along the same lines, is it not?—A. Yes.

1-2 GEORGE V., A. 1911

Q. And you know the *Victoria Times*, and Mr. Nelson, the editor?—A. I should, yes.

Q. I have a letter from him which I also think should go in; they are along the same lines. These two letters, from Messrs. Challoner & Mitchell and Mr. Nelson, are addressed to the Rev. W. Lelie Clay, who lives in Victoria?—A. Mr. Clay is a Presbyterian minister in Victoria. Mr. Nelson happens to be my business manager, and the letter is written on my own paper; shall I read it?

Q. Yes?—A. He is a very reliable man.

Mr. COUNSELL.—On behalf of my clients I object to this evidence going in. I object to taking up the time of this committee by putting in these letters when there are a lot of witnesses here who desire to give their evidence and get away.

By the Chairman:

Q. Is this letter written by some one you know? A. Yes, Mr. Nelson is my manager and is running my business at the present time.

Q. You know his signature?—A. Yes.

Mr. RANEY. If my learned friend who raised the objection would produce letters of this kind I would have no objection to admitting them.

Mr. COUNSELL.—If I had thought letters like this might be produced and accepted I could have produced hundreds of them. I could go back to Hamilton and get thousands of letters from prominent business men there stating they would think it a great shame if racing were abolished entirely. I could do the same at Windsor and all over this province if the committee want that kind of evidence.

Mr. MONK.—It seems to me that is beyond the point. To my mind these letters only have some value as supporting the general statement of the Hon. Mr. Templeman that public opinion in Victoria was inclined that way: this evidence simply goes to prove that.

By Mr. Raney:

Q. If you will read that letter of Mr. Nelson's, please?

Mr. COUNSELL.—I still make my objection against further repetition of these letters unless the committee is going to allow me to put in letters which I may procure on the other side.

The CHAIRMAN.—I think, Mr. Counsell, if you would produce any man here to whom the letters are addressed and he can vouch for them, I do not think the Committee can object to receiving the letters.

Mr. COUNSELL.—I can get any number of letters from prominent business men in Hamilton, well known business men saying that in their opinion legislation should not be passed which will interfere with the success of horse racing.

The CHAIRMAN.—If you put anybody in the box who will swear to the signatures of the letters I do not think the committee can object to receive them after admitting this evidence.

Mr. COUNSELL.—Will you give me an opportunity of doing that, I cannot do it tomorrow which, I understand, is to be the last sitting of the committee, but I can certainly get letters such as I have spoken of, and a large number of them.

Mr. MONK.—You can note the objection, Mr. Chairman, and admit them under reservation.—A. Shall I read it.

By Mr. Raney:

Q. Yes.—A. This letter is addressed to the Rev. W. Lelie Clay, of Victoria:

‘DEAR MR. CLAY,—In reply to your inquiry as to the effect upon the city of the sixty day race meet held here last summer, I have already explained to you that owing to my being in the Old Country most of the time I had not the opportunity I would otherwise have had of forming a fair opinion.

You are aware, however, of the unusual number of irregularities in business firms here this fall, which have been attributed to the races. Personally I have

APPENDIX No. 6

little doubt, forming my opinions upon the information which drifts into a newspaper office, that this presumption is correct. At least one business failure is attributed, and with good reason, to the same cause.

At the close of the meet, being curious to know whether the races had been of any assistance to the city commercially I asked my sporting editor to go carefully into the matter and prepare for the *Times* a profit and loss estimate of the whole affair. He had been in almost daily attendance at the races, knew every owner, jockey, trainer, and bookie and had sufficiently mastered the inside of the game to give a straight tip, and to make a winning. There was therefore a disposition on his part to favour the sport, rather than to 'knock' it. I gave him a free hand, asking him only to dismiss from his mind whatever bias his own success might have given him, and to make a dispassionate computation of the benefits, if any, to the city.

His article which caused a good deal of comment at that time, but which has never been disproved, or even seriously challenged, appeared in the *Times* on Aug. 19th last. It is too long for reproduction here, but it indicated that the whole expense of the meet, both for salaries and purses ran to \$85,000; that the Country Club under whose auspices it was conducted did not put up a cent of this money; that this whole expense was borne by the 'bookies,' who certainly were not working for their health; and that therefore at an inside calculation these bookies must have extracted the whole sum of \$85,000 from the pockets of the Victoria devotees of the turf, and the 'ponies.'

You will realize that for any community to seek prosperity by such a method is merely to repeat the time-worn experiment of attempting to lift one's self by one's boot straps.

I always regarded these meets as a menace to public morals, and as absolutely unsound economically. Our experience here this summer has only served to confirm these views.

Yours truly,

(Sgd.) JOHN NELSON.

Q. That paves the way for the question—Do you know the attitude of the press of British Columbia on this subject?—A. Well, I could not answer for that.

Q. Do you know the attitude of the press of Victoria on this subject?—A. The attitude of the press of Victoria—speaking for the *Times* newspaper—

Q. There is no doubt, I suppose, as to the attitude of that?—A. With regard to that question of course it took some time for the races to proceed and develop, before the press took an attitude on it, so to speak. They took an attitude when they became convinced that it was purely a gambling speculation. The *Victoria Times* was distinctly against the proposition.

By Mr. McCarthy:

Q. You have had races in Victoria for a considerable length of time?—A. Off and on as long as I can remember.

Q. Meetings for three days, and up to a week?—A. I think they have been kept up as long as a week; however, generally, our horse races in past years have taken place in connection with the Agricultural Exhibition.

Q. Was there betting on those races?—A. I have no doubt there would be; I am quite sure there was, I know there was betting.

Q. So long as these races were confined to three or five days or a week in conjunction with the Industrial Exhibition, no complaints whatever were made by the public of Victoria?—A. There were not, I never heard of any anyway.

Q. Last year a race meeting took place which was phenomenal to the city of Victoria?—A. Yes, it was.

Q. It lasted sixty days?—A. That is what they called it.

Q. You have told us that was run under the auspices of the Country Club of Victoria?—A. Yes.

Q. Who were the gentlemen who composed that club?—A. Well, I hardly——

Q. Is it an established club?—A. No, it was a club organized for the specific purpose of running these races.

Q. Was it incorporated?—A. That I cannot say.

Q. Then the race track upon which these races were run is owned or controlled by whom?—A. It is now owned, I believe, by the city of Victoria.

Q. Leased by the city of Victoria to these people to run as a race course?—A. I think that is right.

Q. And leased to them to run races for sixty days?—A. I think that is also right. But, these details I would not be sure of.

Q. And leased to a club, no doubt, for the purpose of running a few races only?—A. It may be so.

Q. It is so. Then could you cast your mind back and tell me who these gentlemen were that formed the Country Club?—A. I don't know who the members of the club were; the secretary of the Agricultural Society had an active part in the movement.

Q. Who is he?—A. The secretary was Mr. J. E. Smart, who is also the secretary of the Agricultural Exhibition.

Q. Who were the other incorporators, Canadians?—A. I think so.

Q. Are you certain?—A. No, I am not.

Q. You cannot tell me whether they were reputable men, whether they were Victoria people, or who they were?—A. I think every Victorian in it was a reputable man, unquestionably.

Q. Then these reputable men must have entered deliberately into a co-partnership or league with these bookmakers to run this race meeting?—A. I do not know, I could not say that.

Q. Is it not obviously the conclusion?—A. You must draw the conclusion.

Q. Is that not obviously so?—A. It would appear they organized a club and——

Q. It would appear, according to your letters, that they did not put up a dollar?—A. No.

Q. That the 'bookies' supplied all the money? That was the manner in which that race meet was conducted, was that not so?—A. That would seem to be so. I can only speak on——

Q. You are giving us expert evidence?—A. I disclaimed that at the start, I am not an expert.

Q. Now the city of Victoria were the owners of that race track?—A. They are now.

Q. Were they then?—A. Yes they were then. That is my——

Q. They could have stopped that race meeting any day they saw fit?—A. No, I believe not.

Q. Why not?—A. I think there was a distinct contract entered into.

Q. They could have said to these people 'get off our property' although they might have been liable to damages?—A. Possibly.

Q. Was public opinion so strong as not to prevail upon the municipality that owned this track, to stop this terrible evil?—So far as my knowledge goes public opinion became strong as the meeting progressed. At first, I imagine, public opinion was probably in favour of the race track, but it became very strong against them as the races progressed. Speaking generally—I cannot answer explicitly. I would rather speak in general terms—public opinion became very strong towards the end—I am judging from expressions in the newspapers—it became a municipal question very largely, and the mayor was very severely censured for having made the contract and for not having abrogated that contract afterwards. I understood from the Press that the city council could have abrogated, but was not able to do so

APPENDIX No. 6

By Mr. Raney:

Q. I am told the race track is outside the city limits?—A. Yes, outside the city limits. Let me explain this, the agricultural grounds I know from my own knowledge are owned by the city. Now the race track was formerly owned by the Victoria Jockey Club, and adjoins it. The city acquired it, I think, some years ago, but I would not be quite sure how many.

By Mr. McCarthy:

Q. Then I understand that towards the latter part of the meeting public sentiment was aroused and the mayor was criticized because he did not abrogate the arrangement permitting these races to go on. Was there not another meeting in the autumn?—A. Last autumn.

Q. Yes.—A. Not that I know of. Of course I have not been there.

Q. Were there not races at the exhibition?—A. I was not at the exhibition.

Q. But you have been giving evidence as to some things you were not at and some things you have heard.—A. I was at the races you know.

Q. My information is this: That the second meeting took place at which there was horse racing and betting and the municipal council was asked to prevent it, and by a vote of thirteen to three they decided in favour of racing and betting the second time during that year.—A. I would not dispute that because I have already stated that racing always takes place at the exhibition.

By Mr. Monk:

Q. Do you know whether it is a fact or not?—A. As to this last year?

Q. Yes.—A. I could not say. I know it has been the fact for several years.

Mr. BARNARD.—There could not have been such a vote as Mr. McCarthy speaks of, because there are only ten men in the council.

The WITNESS.—I am just reminded that the number given as voting at the meeting of the municipal council referred to was wrong because there were not that many in the council.

Mr. MCCARTHY.—Perhaps Mr. Barnard will correct me if I am wrong. Was there not a second meeting?

Mr. BARNARD.—Yes.

Mr. MCCARTHY.—And there was betting at that meeting?—A. Yes.

Mr. MCCARTHY.—And there was bookmaking?

Mr. BARNARD.—Yes.

The WITNESS.—I will admit that because there always have —

By Mr. McCarthy:

Q. This public opinion that you have spoken of, and concerning which these letters were written, was aroused mostly by this prolonged and protracted race meetings?—A. I think that is a fair conclusion.

Q. And if these meetings are reduced in length of time as several of these people writing to you have recommended, say eight or ten days, public opinion would support that?—A. If there was an absence of the bookmaking to the extent that we have had it, I should imagine, yes.

Q. You do not expect to have in future a recurrence of what took place last year?—A. Well, I do not know.

Q. Well now—A. I would not be so sure about that.

Q. What do you think was the source of the trouble?—A. I do not know, excepting what we have been told that many of the States on the other side have been prohibiting these race meetings and they have to come to our side.

Q. Do you think it would have happened but for the Seattle Exposition?—A. I do not know.

Q. Did the people come from Seattle and attend the race meeting in your city?—A. No question but what they did.

1-2 GEORGE V., A. 1911

Q. And in consequence of that attendance it was possible to keep up and support the track?—A. To some extent no doubt.

Q. You would find it difficult, I suggest to you, to support a race meeting out of the attendance that would be got out of Victoria for sixty days?—A. Out of the gate admissions?

Q. Yes?—A. No doubt about it.

Q. You have told us the ordinary race meeting lasted only three, or four, or five days up to a week?—A. Part of the exhibition, one of the attractions at the exhibition.

Q. Do you or do you not agree with what I have said, that if the time during which these meetings were to be held was limited to the period of ten days spoken of in some of these letters, that that would meet the public opinion in the province of British Columbia or the city of Victoria?—A. I believe a good proportion of the people of the city of Victoria like horse racing.

Q. Yes?—A. I believe that is characteristic of all people, particularly in the west.

Q. Judging by their actions I should say so?—A. But I do not believe that if the race meeting is limited to ten days and there is bookmaking even to the extent that it might take place in the ten days, that it would meet public opinion in the city of Victoria.

Q. You do not think that it will?—A. I do not think so. If there is bookmaking that will permit bank clerks and even young lads, to take part in the pools and spend more money than they should, you will never satisfy public opinion.

Q. What would be the difference between that and individual betting?—A. Because it is easier done. The bookmakers, I believe, if I understand bookmaking—

Q. In private betting any individual can bet with another, but in bookmaking you have got to go down to where the bookmaker stands. You have been on the Woodbine, have you not?—A. Yes, I have.

Q. Do you see anything there that would offend the idea of the strongest person morally in the city of Victoria?—A. I do not know anything about the betting there.

Q. You know the Woodbine has been doing business for some thirty odd years?—A. I believe so.

Q. And the races there have been under the control, such as you saw, and in respect to them no such feeling has been aroused as in Victoria. Now have you not got some special idea in your mind as to the cause of last summer's trouble, last summer's debauch if it can be called such?—A. Well it was the presence—

Q. We do not want to credit your city with being worse in that respect than Montreal Toronto or Hamilton?—A. I think we are better.

Q. I think you were too, probably?—A. I think if you had a sixty days' meet in Toronto your people would run wild too.

Q. That may be so, but what I want to get at is that they are not; and you have in your mind some reason for what took place last summer at Victoria. What happened? How did the people come to permit it, or why was it it happened last summer?—A. I do not know why the people came to permit it; I presume they were worked up with the Country Club. The city council, I think acted innocently in leasing the ground for such a long time, but I am not familiar with the facts; I was actually here when that was done.

Q. At the present time the city council of Victoria own and control the only race track in Victoria? Do they not? Or is it the Agricultural Exhibition?—A. The Agricultural Exhibition grounds are owned by the city of Victoria.

Q. Then the city of Victoria controls the race track?—A. The grounds are outside the city of course.

Q. But the city of Victoria controls the race track so that the municipal council of Victoria, in which public opinion is as described, could control that situation when sustained by public opinion?—A. I think the city now own the race track but the association has control—I do not know whether they lease the grounds from the

APPENDIX No. 6

city—they run the exhibition anyway. There is no doubt the city could refuse to give the grounds for any purpose whatever if they wanted to.

By Mr. Raney:

Q. A new race track could be built, I suppose?—A. They could if they wanted to; in Vancouver they built one in a couple of months.

By Mr. McCarthy:

Q. Do you know how much it cost?—A. I do not know, but I understand it cost a good many thousands of dollars in Vancouver; it is a half mile course in Vancouver.

Q. And what is it in Victoria?—A. A half mile course there.

Q. You run a regular merry-go-round then; I will say that is one thing in which Victoria is not as good as Toronto, anyway.

Mr. MONK.—Or Montreal either.

A. It has not as big a track.

By Mr. Moss:

Q. I suppose you have not given the subject any very careful study?—A. Oh no, I want that to be understood.

Q. When you speak of bookmaking have you thought you mean by book-making?—A. Well no, if you asked me to explain how book-making is done I could not explain it.

Q. Or what it means when you talk of abolishing bookmaking and permitting betting; you have not considered how that is going to work out, or how that could work out?—A. Well, of course my knowledge is limited to my own observations. I have never had bookmaking explained to me, I have stood and looked at the bookies, and I have seen fellows come up and put up their money at the odds as advertised on the boards, but I have looked upon it pretty much as a lottery business on the part of the unfortunate fellow who put up his money who did not know anything about it. It is a different thing if I wanted to make a bet with you on a horse race, if we were standing looking at the horses and we each have our choice but it seems to me that the average man that puts up his money in the pools as we call it—

Q. Oh no, that is not book-making, the pool is different.—A. Well, in making a bet with the books, that is staking one horse against the field, or anything of that kind, that he is going it blind, or acting on some tip that has been given by somebody else.

Q. Well now—A. I do not know enough to give evidence of the facts; I simply tell you how it impressed me; it is a kind of gambling, and I do not have anything to do with it; I do not want to be standing here and have you think I have never made a bet in my life, I have made bets on elections for instance.

Q. You will not be allowed to do that any more?—A. Oh yes, you will. In expressing my opinion I want to say that I agree absolutely with the general expression of opinion by the people of the city of Victoria.

Q. You are not answering my question?—A. Probably I am wandering.

Q. I just want to tell you, for your information, that you have an absolutely wrong idea of the position of the bookmaker and his function. The man who bets with the bookmaker has an opportunity of backing his own judgment, he selects his horse and bets on it at the odds that are offered, he bets or not as he chooses.—A. He must make a selection, of course.

Q. And if he does not get the odds he wants from one bookmaker he can go to another, but you and I, if we bet, knowing nothing about the betting at all, will probably get the worst of it.—A. The man who knows the most about horses will have the better chance.

Q. You have not thought out any way in which you are going to distinguish between the individual who goes and bets with his friend and the man who goes around in the guise of a private individual and is really a professional?—A. No I have not. My opinion in that respect is not worth a cent.

By Mr. Blain:

Q. Would public opinion in the west endorse this Bill?—A. I think it would.

By Mr. Moss:

Q. Mr. Meredith has asked me to ask you who Mr. Drury is?—A. He is a very prominent resident of Victoria, I think he is the Provincial representative of one of the insurance companies, he is an insurance man.

By Mr. McColl:

Q. If I understood you correctly, the people in the west are much in favour of horse racing?—A. I think that is true, I think so. There is a feeling that they like to see a good horse race.

Q. Then if betting of some sort on the race track, I mean public betting, if it can be demonstrated that that is necessary to the maintenance of that sport, what would be the opinion of the people upon it?—A. I do not know that you can ever demonstrate that racing, as we have it in Vancouver and Victoria is necessary for the production of good horses. It was a gambling proposition from first to last.

By Mr. Counsell:

Q. I am informed that at this race meeting they had a great many gambling devices such as spindles, wheels of fortune and faro banks, do you know anything as to that?—A. I did not see one of them while I was there.

Q. Did you go through the betting ring?—A. Yes, I was there several times.

Q. Those gambling devices are illegal, and probably they were kept out of the way?—A. Probably they might have been in some room down town, I did not see them anyway any place, and I did not hear of their being there at all before.

Q. You did not hear of it before?—A. No, I never heard of it.

Q. You did not hear of these machines and devices being there?—A. No.

Q. You did not hear of any wheels of fortune or anything of that kind being in operation?—A. I did not see any of them on the ground.

Q. And you did not hear of it?—A. I did not hear of it.

By Mr. Monk:

Q. I notice that in the letters you produce none of the writers state they had been at those races?—A. No, they do not state they had, but I am quite sure my friend Mr. Kerr, who had the contract, at least so I was informed, for feeding the horses, and who likes horse racing himself attended the races.

By Mr. McCarthy:

Q. He says he would like to have it reduced to 15 days? A. Yes. And I am quite sure the majority of those people would like a good race sometimes.

By Mr. Monk:

Q. How did Mr. Drury come to be the medium through which those letters were obtained?—A. I asked him to obtain, for my information, the opinion of the leading citizens of Victoria generally.

Q. Would he first communicate with you, or did you communicate with him first?—A. No; I first communicated with Mr. Drury. I wanted to obtain for myself, for my own information, knowledge as to whether there was any public opinion in the city of Victoria, because I knew there was a Bill coming up and, as a resident of the city of Victoria, I wanted to know what the public opinion was there, and I wrote to Mr. Drury.

Q. Can you state what reasons, particularly, made you apply to him; had he written to you on the subject?—A. No; I wrote to Mr. Drury first, because he is an old friend, and I have the utmost confidence in him. I wrote to him the same as I might have written to a dozen other people. He is not a man who bets himself.

APPENDIX No. 6

By Mr. McCarthy:

Q. Then his views on this subject are not at all the same as your own?—A. No; I do not think friend Drury would bet 25 cents on anything.

Q. He has different ideas and he does not approve of it, and you do not disapprove of it?—A. I do not approve of it. I have to draw the line between an ordinary straight bet and betting with the bookmakers.

Q. I mean you do not disapprove of betting on an election; you bet on an election and you approve of it, do you not?—A. I do not care to express my approval of it at all. I have been guilty of doing that sort of thing.

Q. But Mr. Drury disapproves of all betting, betting of any kind?—A. I think I have bet a cigar with Mr. Drury once or twice, but that is as far as he has gone.

By Mr. Monk:

Q. Was the Exposition going on at Seattle during the whole time of this meeting?—A. I think it was.

Q. And there was a very large crowd at Seattle?—A. A very large crowd. In fact, I think—

Q. How far is it from Victoria?—A. Something like eighty miles or thereabouts. Four or five hours' run on the steamer.

By Mr. McCarthy:

Q. What is the method of communication between Seattle and Victoria, how many boats a day were there?—A. About that time? I guess there would be three or four. There are two all the time.

By Mr. Monk:

Q. How many people came from Seattle to Victoria?—A. An enormous crowd.

By Mr. McCarthy:

Q. Do you know what the fare was between Seattle and Victoria?—A. I do not quite recollect. The regular fare is a couple of dollars I should think.

By the Chairman:

Q. I suppose that service would be to take the people from Victoria to the Exposition?—A. Yes, exactly.

By Mr. Monk:

Q. In our province I should think the municipality, contract or no contract, could have stopped that racing if these evils existed; is it not the same with you?—A. I really do not know, Mr. Monk. If they have not the power, I think they ought to have. I do not know what jurisdiction the authorities have.

By Mr. Meredith:

Q. Have you a copy of the letter which you wrote to Mr. Drury?—A. I think I could get it.

Q. If not too much trouble, I would like to see that letter to find out how it compares with the answers; that would be important. And, if I understand you rightly, up to this last long meeting at Victoria, which lasted sixty days, there were no evils resulting from the races properly carried on?—A. I think not.

Witness discharged.

The CHAIRMAN.—I would like to make a statement at this stage as to the putting in of the letters already referred to. I think the solicitors who are here opposing the Bill will have no fault to find with the submission of letters, because they have already presented evidence of the same kind. However, if there are letters that can be placed

1-2 GEORGE V.. A. 1911

in the hands of a witness, and that witness identifies those letters as being addressed to him and vouches that they are genuine, I do not think the committee should refuse to listen to them. Of course, I think that such letters should be submitted in reason, and we should not be deluged by them. In my opinion, some latitude should be given on both sides.

Mr. McCARTHY.—I did not want to put in more statements but submitted what had been compiled by Mr. Fraser from the records of the Ontario Jockey club and verified and which would be proven by the secretary of the club.

The CHAIRMAN.—You do not think the admission of these letters is fair.

Mr. McCARTHY.—I do not. I think that the letters which have been read are of less value than the statements submitted by us because the latter have been verified.

Mr. RANEY.—And we could bring the writers of these letters to verify them if we choose, but it would involve the expenditure of thousands of dollars upon the inquiry and prolong it until the end of the session.

Mr. G. H. BARNARD, M.P., called and examined.

By Mr. Raney:

Q. You reside in the city of Victoria, B.C.?—A. Yes.

Q. And are a member of the Dominion House?—A. Yes.

Q. You have some knowledge, I suppose, of the race meet which took place in Victoria last year?—A. A little, not very much.

Q. Did you attend the meeting?—A. I was there three or four times.

Q. Will you please speak about it from your personal observation?—A. In what way?

Q. State anything you have to say about it? What was the general character of the meet?—A. We thought it was pretty good.

Q. It brought a great many people to Victoria?—A. Yes, a good many. It was very well run. The races were well brought off on time, there was no waiting, the track was orderly and the people were orderly.

Q. Have you any knowledge as to the state of public opinion in the city of Victoria?—A. Well, I certainly gathered an impression when I was out there at the time and during the parliamentary recess and up to the time I left in January.

Q. What was the impression?—A. It was that it was entirely undesirable to have a repetition of anything we had there last summer.

Q. Do you know Mr. Blakeman, editor of the 'Week,' in Victoria?—A. Yes.

Q. The 'Week' is a well known weekly publication. I believe so.—A. Yes.

Q. And he was also an editor, I think, of a Conservative paper prior to the last election?—A. Prior to the last provincial election.

Q. Have you recently received a communication from him enclosing a copy of a letter which he sent to Mr. Miller, chairman of the committee?—A. Yes.

Q. Will you read that original communication to the committee?—A. This is the letter to Mr. Miller. (Producing letter.)

Letter objected to by Mr. McCarthy and Mr. Moss.

By Mr. McCarthy:

Q. Are you voicing the sentiments voiced in the letter?—A. They are not my sentiments.

Objection to the reading of the letter sustained.

By Mr. Raney:

Q. Do you know the attitude of the press in British Columbia on this question; take for instance the *Colonist* in Victoria?—A. I believe the *Colonist* is quite opposed to any repetition of a meet such as we had last year.

APPENDIX No. 6

Q. The *Colonist* is the leading paper in Victoria—the leading Conservative paper—is it not?—A. Well, probably the leading Conservative paper.

Q. Something was said about the ability of the city of Victoria to have intervened and stopped this race meeting?—A. Yes.

Q. Do you know whether the City Council took legal advice on that subject?—A. Well, of course I am not speaking from my own knowledge or from anything very definite, but my recollection of the facts was that the city in the first place gave a lease to this club for five years for the purpose of holding race meetings. After the meeting was in progress—whether it was after the meeting was finished or towards the end of the time I am not prepared to say, I remember seeing in the newspapers a report that they had taken advice of the city barrister as to whether or not they could cancel the lease, and they were advised they could not. That is my recollection of that.

Q. In other words they were bound by their contract?—A. That is what I understand.

By Mr. McCarthy:

Q. You mean that the city would not have been able to cancel the contract without being liable for any damage; you do not mean to say that anybody cannot repudiate a contract if they choose to make themselves liable for damage?—A. I think they might be held to specific performance of the lease.

Q. Is specific performance ever ordered when damages will suffice, in your Province?—A. I do not know; do you want me to give expert evidence?

Q. I do not, but I want to get out the fact. What was the effect of the opinion on which you are giving evidence? Was it simply that if the city did cancel the contract they would be liable in damages, or did he put it the other way, that they could not cancel the contract without being liable in damages?—A. I really do not recollect, I could not tell you that.

Q. I am not asking any questions or seeking in any way to induce this committee to permit a repetition of the merry-go-round which you had in Victoria last year; I do not want to be so understood. But the point I want to get at is, what in your opinion is the real public opinion in the city of Victoria, supposing these races were continued in the future as they have been in the past in Victoria, do you think that public opinion would be offended?—A. What do you mean?

Q. In this year of grace 1909, if the races had gone on as they had been going in previous years, without this 60 day meeting, do you think there would have been any outcry against racing?—A. No, with certain limitations, there is a certain section of the community who would object, but the general body of public opinion I do not think would.

Q. They are content with that racing?—A. Yes.

Q. So that the cause of the outcry was this long 60 days' racing on a half-mile track with this bookmaking element from the United States; that is the cause of the trouble?—A. The long meeting was certainly the cause of the trouble. I do not think that the half mile track was the cause of it, because they have always had that.

Q. Then supposing the time were cut down. You have been at our meeting in Toronto?—A. I have seen it, yes.

Q. And in Montreal?—A. Yes, and in connection with the Toronto meeting, I will say in reference to the statement made by the Hon. Mr. Fisher here the other day that I really could not see very much difference between the class of people you find at the King Edward Hotel on the night before the race meeting and the people I saw in the hotel at Victoria.

Q. He did not locate the place where he saw those people in Victoria?—A. I know where he saw them, I saw them there.

Q. You have stated that you were at the King Edward, he did not say where he was.—A. He said he was at the best hotel; I take it that the minister would probably try to get the best hotel he could.

Q. You saw the people at the best hotel in Victoria and you say they were of as
6—17½

good a class as the people you saw at the King Edward on the night preceding the opening of the meeting?—A. That is what I said. The minister made the statement that he was surrounded in the hotel in Victoria with a particularly objectionable crowd of people.

Q. Did he say that?—A. I think he said he would not care to be in the dark with them, or something to that effect. What I say is that the people who attended that race meetings are pretty much the general run of people who follow the horse races throughout the country and that whereas I was at the races in Victoria and saw them there I do not think they are materially different to the class of people that I saw myself in the King Edward Hotel in Toronto on a similar occasion.

Q. Well, to get your idea as between you and the Hon. Mr. Fisher as to the people you saw in the King Edward Hotel in Toronto, were they the kind of people you would not like to be seen with?—A. Well, I will put it this way; I heard a lady say that she did not care to cross the rotunda.

Q. A lady said she would not care to cross the rotunda?—A. Yes.

By Mr. Raney:

Q. That was at the King Edward?—A. Yes.

By Mr. McCarthy:

Q. That might mean anything, because the rotunda as we all know is pretty full at all times. Now you have taken me away from the line I was trying to get at. I was trying to ascertain what, in your opinion, would be the view of the people of Victoria if the races were brought down to a reasonable length of time, say 10 days?—A. Well, I do not think there would be any great objection to that as far as I know, that is from the general public. Of course there are a certain number of people who would object.

Q. They would object to it in any event, there is no doubt about that.—A. But I do not think there would be a public outcry against it.

By Mr. Raney:

Q. That is unless it attracted this same kind of people that brought about these objectionable features?—A. I do not think they would come, because in this meeting we had 600 or 700 horses which were boarded in town for about 60 days and all the attendants on those horses were there during that period. But at the other meetings, so far as I know we have never had more than 30 or 40, or perhaps 50 horses, and consequently there are nothing like the number attracted, and we never had the flood of bookmakers like we had there on that occasion, the great majority of them, I think, came from the outside. We have had these same elements, there might be a few of them come from the outside, at the meetings that we have previously held, but the bookmaking did not amount to much; my recollection is there was more pool selling than bookmaking.

By Mr. Raney:

Q. That is betting of a domestic character?—A. Yes.

Q. What I want to say is this that with a ten days' meet in Victoria and a ten days' meet in Vancouver in the spring and fall, would you not think those meetings might be sufficient to attract such a string of horses and such a following as you had at Victoria last year?—A. I am afraid that is a question I could not answer because I do not know enough about race tracks to know whether it would or not.

Q. You see the same string, I presume, or a similar string, goes to the Woodbine, then it travels to Fort Erie, Hamilton, Windsor, Montreal, for 7 or 8 or 10 days at each place; apparently the whole difficulty is not the 60 days' meeting—however, that is a matter for argument.—A. That I could not tell you. I understand they have put them out of business in the State of Washington and they would have to make long jumps.

APPENDIX No. 6

By Mr. McCarthy:

Q. Was the crowd travelling from Victoria to Seattle during that period greater than it was from Seattle to Victoria?—A. Well, as to that I do not know; there was, however, a heavy travel all through last summer.

Q. The transient travel in Victoria last year was much greater than usual, was it not?—A. It was, owing to the Seattle exhibition.

By Mr. Monk:

Q. Do you know anything about this fact that after the 60-day race meeting the municipal council renewed the contract or made a contract for the occupation of that race track for races at which bookmaking was allowed?—A. Yes, I can tell you something about that.

Q. What is your knowledge?—A. In a general kind of way my understanding is that the Agricultural Association owned the building, the show building, and a small portion of the grounds. The race track is within the same fence, but was bought some two or three years ago by the city to be used for the purposes of the show and also for racing purposes. I am not exactly speaking by the book, but as I understand it, there is an arrangement between the Agricultural Association and the city whereby the association have the right to use the race track during the show week. It was the Agricultural Association that made an extra arrangement with regard to racing, the second arrangement, not the city, and it was strenuously resisted by the mayor and by one other of the members of the association. There is a small council governs that, I think, of about five; they voted three to two or something of that kind. In that event the bookmaking was not carried on at the second meeting in exactly the same way. That is to say they complied with the law—at least they adopted that way of doing it by shifting about one-sixteenth of an inch; as each bet was booked the fellow would move his block and go over about a quarter of an inch or so.

Q. They did not do that the first time?—A. No the first time they had stalls.

By Mr. Monk:

Q. Was the council called upon to vote on the matter?—A. I do not think so. I do not think the council was called upon to vote because I do not think they had anything to do with it.

Witness discharged.

Mr. COWAN, M.P., called and examined.

By Mr. Raney:

Q. You are the representative for Vancouver in the House of Commons?—A. Yes.

Q. Did you attend the Vancouver race meet we have heard something about?—A. Once.

Q. Did you attend the Victoria meet?—A. No.

Q. Then from your observation have you anything to say about that race meet?—A. From my own observation; I attended the meet on the instructions of the municipal council.

Q. You are the city solicitor of Vancouver, I believe?—A. I am also a solicitor for the municipal council for Richmond. They asked me to go there and ascertain whether or not there was any breach of the Criminal Code.

Q. And did you report that there was or there was not?—A. I reported that in the matter of bets there was a breach of the section that is now under consideration.

Q. The bookmakers were occupying booths?—A. Were occupying booths.

Q. Have you a communication from the authorities of Richmond as to the evils which were found to exist?—A. There is a communication, not addressed to me, from the chief of police of the municipality of Richmond.

Q. And you also have a communication from some other source?—A. From the chief of police of Vancouver.

Q. Will you please read that communication?—A. Neither communication is addressed to me.

By Mr. McCarthy:

Q. Are these communications not addressed to you?—A. No.

Mr. McCARTHY.—Then I do not think they can be submitted.

By Mr. Raney:

Q. You recognize that the communication is by the chief constable and is in his handwriting?—A. Yes.

Q. You know it?—A. Yes.

Q. Then will you read that communication if you please?

Mr. McCARTHY.—I object to the reading of a communication from the chief constable which is not addressed to Mr. Cowan. Even if it were, I would still object because there is no opportunity of cross-examining this man. He can make statements and you cannot cross-examine him.

The CHAIRMAN.—To whom is the letter addressed?

Mr. RANEY.—To the Rev. Robert James Wilson.

The CHAIRMAN.—Who is Mr. Wilson?

The WITNESS.—He is a Presbyterian minister in the city of Vancouver.

The CHAIRMAN.—What do you seek to prove by that Mr. Raney?

Mr. RANEY.—I seek to prove that the general character of the meeting and the moral effect on the community as stated by this officer from his personal observation.

The CHAIRMAN.—The Chief of Police?

Mr. RANEY.—The Chief of Police.

The CHAIRMAN.—Do you object to that going on, Mr. McCarthy.

Mr. McCARTHY.—Yes.

Mr. MEREDITH.—I think it would be highly improper to let it go on record.

Mr. RANEY.—If my learned friends will permit me I was going to suggest, in order to shorten this examination, that the witness should read this letter and then say if it voices his own personal opinion and the opinion of the city of Vancouver so far as he has been able to gather.

Mr. McCOLL.—He could give his own personal opinion without reading the letter: that would be getting the letter indirectly.

Mr. McCARTHY.—It is easy to see what my learned friend is trying to do. We have taken the trouble whenever we have evidence from a police magistrate to bring the party here.

Mr. RANEY.—Not always.

Mr. McCARTHY.—Yes. He is a public officer and if he speaks on this matter can be got here. It might be difficult to obtain the attendance of some of these business men who are not particularly, or not sufficiently, interested to come here, but surely a police officer, if he is going to speak on a matter like this ought to be present. He might say that race meetings are bad but if he were present we could find out whether he was correct in his assumptions.

Mr. RANEY.—Allow me to say one word. Neither my friend Mr. McCarthy nor Mr. Meredith have any status in this matter. So far as this evidence is concerned it is a British Columbia matter.

Mr. McCARTHY.—Excuse me.

Mr. RANEY.—Mr. Cowan is here to speak of the attitude of a section of the country thousands of miles away from the districts which my learned friends represent.

Mr. McCARTHY.—No one is objecting to him.

The CHAIRMAN.—If Mr. Cowan produces a letter and says: 'Here is a letter from the chief of Police of the city in which I reside, I know his handwriting and I know it is from him, I want to read it and I want to say that I quite approve what he

APPENDIX No. 6

states—I believe it is public opinion, and it is my own and I base my opinion in part upon this letter—would that be objectionable to you Mr. McCarthy?

Mr. MCCARTHY.—I should say so absolutely. If there is any question about my status I would like to have it cleared up. I represent the Ontario Jockey Club which is a large concern, incorporated and with large estates in the Dominion of Canada. My learned friend, Mr. Raney, is here working for a law affecting the Dominion of Canada and incidentally affecting my clients. I care not whether the evidence comes from the Maritime provinces or from British Columbia; I have a perfect right to be here in order to protect my clients' interests in reference to that law which is to be passed. Now I say that to produce a letter not addressed to the individual in the box but to some gentleman in British Columbia, to read that letter without giving the opposite side the right to cross examine the writer of it, is not a fair way of giving evidence. Mr. Cowan is capable of expressing his views. With that we cannot quarrel. He is here to be examined; but to produce a letter written by the chief of police to some other person and read that is an incorrect and an unfair way of presenting evidence because it gives the idea that is the opinion of the gentleman in question without affording the opportunity of finding out upon what he bases his opinion and why he gives it. For instance pretty nearly every witness who has come here and given expression to such an opinion, admits that if you limit the time of racing you ameliorate the difficulty if not wipe it out altogether. We are not going to have the opportunity to elicit that information in this case. The witness might say that the moral effect of the race meets was bad, the length of time it was in progress very bad, but surely we have a right to know upon what he bases that opinion and also the right of generally cross-examining him upon his views.

A. I might say, Mr. Chairman, that I see here the writer of this letter, who is Mr. Chamberlain, states in the letter what he bases his opinion on, so that I imagine the committee can judge whether he had sufficient opportunity of arriving at the conclusions, and whether those conclusions were justified.

By the Chairman:

Q. On what does he say he bases his conclusions?—A. He says that he bases his opinion 'upon the information received from my officers who attended daily and on the number of cases that came to my notice as the result of playing the books.'

Mr. MCCARTHY.—Even his evidence is second-hand, he got it from his officers.

The CHAIRMAN.—When a police officer says 'I have information from members of the force as to the result of any race meeting in the city,' is it unfair that the committee should receive this information? If there is any dispute as to the source from which the information comes, it is a different thing, but is not this the kind of information which we would like to have? Do you still continue your objection, knowing that the police officer says that 'this opinion is based on the information I got from the men on my force'?

Mr. COUNSELL.—My objection to that evidence is based on this fact, that I have information from what I consider a reliable source that a great deal of the gambling and abuses that took place out there were those that arose from the use of gambling devices such as I have referred to.

Mr. RANEY.—Then prove it.

Mr. COUNSELL.—That is what I am saying, that if we had these officers here we could prove that; they could tell us whether those wheels of fortune and other games and devices of that kind were operating, and I am advised that those devices more than anything else were responsible for people getting into trouble.

The CHAIRMAN.—The statement is not borne out by the Hon. Mr. Templeman's evidence in the case of Victoria, because his evidence is in the opposite direction; it certainly does not bear out that statement.

Mr. MCCOLL.—That is not quite a fair way of putting it; he was asked, and he said he did not see any of them.

1-2 GEORGE V., A. 1911

Mr. COUNSELL.—Those things were probably put out of the way; it is known that they were violations of the law.

A. I was going to say that if there were those devices Mr. Counsell speaks about on the Vancouver track the day I was there, they kept them carefully out of sight. It was the bookmaking that was in evidence on that day.

Mr. RANEY.—Of course, there is the other point involved, that if this committee desires to prove by direct evidence these facts, there will be the expense of bringing the police officer or the police magistrate from Vancouver to Ottawa to give evidence. We might have brought a dozen witnesses to give evidence of that character; it never occurred to me for a moment that this procedure would be questioned. I venture to think that this objection is almost unprecedented on the part of my learned friends. It is not the practice for parliamentary committees of this character to circumscribe themselves by the rigid rules of evidence; this committee has not laid down any such rules, and my learned friends have been following no rules of evidence; they have been calling witnesses whose evidence would not have been received or looked at for a moment in a court of justice.

Mr. MONK.—As to the practice of parliamentary committees, you are mistaken. Up to a certain extent it is right, because frequently objections have been made, and it has been attempted on all the committees I have attended to place the committee under the strict rules of evidence as observed in the courts of justice. I have always held we are not bound by the rules of a court of justice, but still we are bound by some rules, which are founded, not in law, but in common sense. I am inclined to think we should admit letters proving the general state of public opinion in support of a witness who states what that public opinion is, but in this case this is not evidence at all; this is evidence of certain specific facts and, as this evidence is so very important, we should have testimony. I think, as to what abuses existed there and how it was conducted. Here is a police officer who represents that all these abuses such as reported to him by his men occurred. Of course, the committee can admit any evidence it likes, but this would not appeal to me as evidence.

The CHAIRMAN.—I do not think this committee has received large volumes of evidence of this character as suggested. I do not think they have in this case.

Mr. RANEY.—That may not be so, and I do not want to press anything that the committee does not desire.

The CHAIRMAN.—I do not think that large volumes of evidence have been admitted. When the committee upon the Lord's Day Act, two or three years ago, sat they admitted a great quantity of evidence of a character, I think, which has not been admitted here. I can see the fairness of the objection raised by counsel that they want, as far as possible, to have evidence where there will be an opportunity of cross-examination, and I think, in view of the desire to shorten the proceedings of the committee, we do not want to sit here the whole session wrestling with this Bill, it seems to me—this is my own private opinion, and I am not speaking as chairman of the committee—that you probably weaken your case more by refusing to hear evidence than by hearing it; but, as you cannot agree to admit this evidence, we had better not take it.

Mr. MONK.—I am satisfied from the evidence, Mr. Raney, that there were abuses at that meeting, and that they should not occur again.

By the Chairman:

Q. They say that the Victoria meeting ran for 60 days; how long was the meeting at Vancouver, Mr. Cowan?—A. I think it was 26 days.

By Mr. McCarthy:

Q. Was that 26 days of actual racing?—A. I do not know exactly, I am only speaking from memory.

Mr. RANEY.—Is there a ruling on this letter?

APPENDIX No. 6

The CHAIRMAN.—I think so.

Mr. RANEY.—The ruling is I am not to ask the witness to read it.

The CHAIRMAN.—Yes, I think so.

By Mr. Raney:

Q. Well, then, Mr. Cowan, will you proceed to say anything you have to say on this Bill?

The CHAIRMAN.—Since I have ruled in that way as to this letter, I think we ought not to receive the statement of the Hon. Mr. Decarie, Minister of Agriculture, of Quebec, who would be here if he is to make any statement, in order that he may be cross-examined.

Mr. McCOLL.—You might take his evidence if it is put in the form of an affidavit.

By Mr. Raney:

Q. I would like, Mr. Cowan, to proceed in your own way.

By Mr. McCarthy:

Q. I think the Vancouver meeting was 41 days, 26 and 15?—A. Yes, the schedule was 26 and there was an extension of 15 days.

By Mr. Raney:

Q. I think the sky is clear now, Mr. Cowan?—A. Well, Mr. Chairman, with respect to Chief Chamberlain, whose letter you have refused to use, his character is beyond reproach. He is a man who is absolutely incorruptible, that is the general opinion not only in Vancouver but in this city where he served the Dominion for a number of years. As far as my knowledge goes he has put the case to my mind very accurately except in one or two particulars and in those particulars he may be accurate, but there he goes beyond my information.

The WITNESS.—Then I am not allowed to read it.

The CHAIRMAN.—I think you can include any parts of it if you want to read them for any particular purpose.

By Mr. Raney:

Q. Will you proceed with your evidence please?—A. (Reads):

'The moral effect to the community was of the worst.' I think he is absolutely correct in that, bringing as it did from the country to the south of us a most undesirable element who always follows such meets. Now his knowledge of race meets may be larger than mine; I do not know whether they always follow or not. I know as a matter of fact that he is absolutely correct in saying that there was a horde of undesirables came into the city infesting the premises of banks and trust companies and soliciting there, and offending so generally against the public senses that a lot of us who were not by any means blue stockings, experienced a feeling of revulsion and we think it is highly desirable—I am not speaking for myself—the view of Vancouver is that it is highly desirable that that thing should be stopped. I do not say that betting is an evil that ought to be made a crime, but nature has not endowed me with sufficient powers of reasoning to see that the bookmaker is necessary to the breeding of horses. I am fond of horses, I like to see a race; and it was probably a sore point with me as with anybody to see hundreds of these camp followers making it such, on the trams for instance, that you were obliged to take your family out and walk down the street rather than listen to their Bowery slang and study the effect of perspiration on the paint on their faces.

Q. When you speak of soliciting do you speak of the women following these racing men?—A. No, I would not say that. What I have in mind—I do not want to make that statement too broad—but I happen to know, not directly, but on information that to me at any rate is satisfactory, that they actually did go into one bank in

particular—I do not want to mention the bank, but one bank in particular—and they spread a spirit of gambling in that institution that I am afraid was rather upsetting to the morale of the bank and the morals of the young men.

By Mr. McColl:

Q. You say 'they went in.' What class of people went in?—A. I did not see the class of people that actually went in, but I saw a class that were doing that as I could notice. They were a class of young men, I have no doubt young in years but old in certain other qualities as indicated by the hard visages they carried around with them.

By Mr. Monk:

Q. Was it during the Seattle exposition?—A. Yes, I am not prepared to say how much this was due to the effect of the Seattle exposition.

Q. There had been no meet at Seattle?—A. That might tend to increase the number.

Q. I understand that it was against the laws of the state of Washington?—A. It was variably estimated that there were between fifteen hundred and two thousand of these people in the city. It is rather difficult for me to profess to give direct knowledge, but it was very commonly understood round town amongst men—and you know whether or not they got things accurately—it was commonly understood that there was about that number, and that a very considerable portion of them were touts, tipsters and confidence men. The chief, if I am allowed to go on goes on to say: 'Our city was filled with touts, thieves, bunco and sure thing men, and I regret to say that we have not yet succeeded in wholly driving them out.' Now my own information does not enable me to verify that particular statement but I have this to say: 'that if the chief of police writes that I believe it. I do not think that he can be clubbed into stating a thing he does not believe to be correct.

By Mr. Raney:

Q. Is there anything else you desire to say?—A. I found one peculiar condition of things. After I had advised the municipality of Richmond that the use of all this was against the Act, the municipality ordered their removal and then I found how rather absurd the present distinctions in the Act are. The bookmakers deserted the stalls and placarded themselves and paraded up and down where the women attending the meeting could see them and everybody else could see them, and that was even more offensive than the stall. I found that some of the bookmakers were inclined to get up on a chair, stand up on a chair; and looking into the case in the Criminal Code, I found that was a crime; but if Mr. Bookmaker got off the chair and chassed around it and plied his trade, he was an innocent man. It seemed to me that it was desirable to remedy that.

Mr. McCOLL.—We all agreed with that.

A. And we should exercise a little moral courage and either say the whole thing is legitimate, or else cease to try to make fine distinctions between the man who stands on a chair and the man who stands on a sidewalk.

By Mr. Raney:

Q. I am told that the whole meeting at Vancouver was twenty-eight days including the extension?—A. Forty-three, Mr. Raney.

Q. I think my learned friend who gave me that information is in error. Mr. Powell, who was here representing the horsemen, I understand says that it was twenty-eight days altogether. He is not at present in the room. Are you able to say definitely how long the meeting was?—A. The nearest I can come to it definitely is I think they had the first meeting for twenty odd days, and then they decided to extend the meeting for fifteen days; but public opinion became rather strong and the management—who were just as anxious as anyone else to meet the views of public opinion—the management cut it down.

APPENDIX No. 6

By the Chairman:

Q. I have here a copy of a resolution passed by the Board of Trade in the city of Vancouver and of a resolution passed by the council of that Board of Trade; do you know whether such resolutions were passed?—A. A copy was sent to me by Mr. Skene, secretary of the Board of Trade.

The CHAIRMAN.—I presume nobody will have any objection to these resolutions going in. They are from the Vancouver Board of Trade and Mr. Cowan says that Mr. Skene, the secretary sent him a copy. The covering letter and resolution are as follows:

VANCOUVER BOARD OF TRADE.

MOLSON'S BUILDING,
VANCOUVER, B.C., CANADA,
November 5, 1909.

The Right Honourable,
The MINISTER OF JUSTICE,
Ottawa.

SIR,—I have the honour to advise you that,

WHEREAS, the question of race-track gambling in connection with the recently established 'Minoru Race Track' on Lulu Island near the city was fully discussed at the monthly meeting of this board on 5th October, ulto.

WHEREAS, the opinion was unanimous that in relation to the welfare and business interests of the city and of the community at large, legislation should be sought to effect the suppression of all professional gambling on race-tracks.

WHEREAS, the board is advised by the Attorney General of British Columbia—"that the question of the suppression of gambling is one coming entirely within the powers of the Dominion Parliament."

IT WAS RESOLVED, at a meeting of the council of this board held on the 4th inst. "That the Honourable the Minister of Justice be requested to adopt such legislation as may be necessary to bring the *Suppression of Race-Track Gambling* within the Criminal Code of Canada.

I have the honour to be,

Your obedient servant,

(Sgd.) WILLIAM SKENE,
Secretary.

(With compts. to H. H. Miller, Esq., M.P., Ottawa at request of Rev. R. J. Wilson).

By Mr. McCarthy:

Q. Is Richmond a municipality just outside Vancouver?—A. Yes.

Q. Now was there any public opinion against racing before last summer in Vancouver?—A. No, I think not, although just as Mr. Barnard said there always is in every community an element against it.

Q. But you have been speaking of public opinion being against it; now was it against it before last summer, speaking in the same way?—A. No, not in the same way.

Q. For how long did the meetings progress previous to last summer?—A. We never had it, this race track is new.

Q. This is a new thing to Vancouver?—A. Yes.

Q. This track is on an island, is it?—A. Yes, Lulu Island.

Q. Is there a jockey club in Vancouver?—A. A jockey club, yes.

Q. There is?—A. Yes.

Q. And who is the president of it?—A. I think Mr. J. A. Fullerton is.

Q. He is recognized as a reputable man?—A. Yes.

Q. Are you a member of it?—A. No.

Q. You are a shareholder, are you not?—A. I am a shareholder in the race track.

1-2 GEORGE V., A. 1911

Q. And this race track was built; the money for it was put up by the men, reputable people in Vancouver, men who are amongst the most reputable citizens of Vancouver?—A. They are among the most reputable people.

Q. Then there was a public opinion there which would sustain racing, there must have been, I suppose, to justify the expenditure of this money?—A. Yes, I suppose so.

Q. How much money did you spend on the construction of that track?—A. Oh, I do not know how much money was spent.

Q. Well, generally?—What was the capitalization of the company?—A. I do not know.

Q. But I wanted to get at the asset you have there, what was expended there last year?—A. I got the impression that there was an investment of a considerable sum of money.

Q. And that investment was made last year, 1909?—A. Yes, last year, it would be.

Q. So that in Vancouver racing, thoroughbred racing is just in its infancy?—A. In its infancy, yes.

Q. And undoubtedly those people who infested Vancouver last year came from the south, that is south of the boundary; that is, the undesirables all came from south of the boundary?—A. Oh yes, I went around to study the physiognomies of the bookmakers to see if there were any local men, I know the local men pretty well, and my recollections is that there were 18 bookmakers there, none of whom I could recognize as a British Columbian.

Q. And you advised the city of Vancouver and the municipality of Richmond that they could prosecute these people under the Criminal Code, did you not?—A. They were occupying their booths.

Q. You advised they could be prosecuted, did you not?—A. Not the city of Vancouver.

Q. But you advised the municipality of Richmond, did you not?—A. Yes.

Q. And you are also counsel for the city of Vancouver?—A. Yes.

Q. Now, if your advice was right, and if the decisions as we read them were right, anybody could have stepped in there and stopped that evil at once, that is, the Chief of Police could have done so?—A. Which evil?

Q. The evil of betting which you have been speaking about?—A. No.

Q. Could not every bookmaker doing business on that track have been brought before the Police Magistrate, that is up to the date he changed his methods, at all events?—A. Oh that is a different thing.

Q. But could he not?—A. He could have been prosecuted for keeping a common gaming house.

Q. Was not public opinion strong enough to force such a proceeding as that?—A. They abandoned that method.

Q. That doesn't matter, a man by abandoning a crime does not get rid of the criminal offence does he? The mere matter of getting off the chair on the 25th day does not mean that for the 24 days previously he had been on the chair he was not committing a crime?—A. Mr. McCarthy, I have a recollection that you began your question by saying that the practice could have been stopped; it could not.

Q. Well, let me put it the other way, the bookmaker could have been hauled before the police magistrate and convicted, could he not?—A. And he could have gone back the next day and plied his trade?

Q. We do not know whether he could or whether he could not, but he could have been convicted for the offence he had committed.

By Mr. Monk:

Q. Is there any necessity to go into that?

Mr. MCCARTHY.—There seems to have been a hindsight public opinion, if I may use that term; they seem to have become aroused afterwards to the evils?—A. I do not think there is any doubt any of them could have been prosecuted, but the evil of

APPENDIX No. 6

the situation is this that they could have gone back and plied their trade in a very much more offensive form.

By Mr. Monk:

Q. But if they had all been arrested it would have broken up the whole thing?—A. Oh no, not by any means.

Q. They might have been sentenced; the magistrate, once they admitted their guilt, could have disposed of them?—A. Not at all.

By Mr. McCarthy:

Q. Then it is the desire of a certain proportion of the people of Vancouver that racing should be permitted, that racing in its best form should go on?—A. Well, I do not think there is any desire to see it made a crime.

Q. There is no desire, you think to see it made a crime?—A. No.

Witness discharged.

Committee adjourned.

HOUSE OF COMMONS.

COMMITTEE ROOM No. 32,

TUESDAY, February 1, 1910.

The CHAIRMAN.—A letter has been received from the Police Magistrate of Winnipeg, who is invited to appear before this committee, in which he acknowledges the receipt of a telegram but does not understand why he should be asked to give evidence in reference to the Bill.

The examination of Mr. COWAN, M.P., resumed.

By Mr. Meredith:

Q. If my notes are correct the racing which took place at Vancouver was at Minoru Park?—A. Minoru.

Q. And that was the first race that took place anywhere in the vicinity of Vancouver?—A. No, it was the first race on that track.

Q. And up to the time of that race the results of which you have spoken about fully, there was no complaint about the way in which the races were carried on in Vancouver?—A. They were not carried on on that track.

Q. I mean to say the races in or about Vancouver, the exhibition races?—A. There was not the same general complaint.

Q. If I understood your evidence properly and if my information is correct, the gentlemen who are connected with the race track on which these races took place, and about which you spoke, were amongst your best known citizens?—A. That is the shareholders—

Q. That is what I mean?—A. The shareholders of the association.

Q. And the directors?—A. Yes, I rather think that is correct.

Q. I do not want to get anything but what is right.—A. Quite so.

Q. That is what I understood. Now I presume that when the shareholders and directors got up this meeting you did not anticipate the results, the previous results, which you have mentioned that followed? I mean to say that you did not anticipate anything of the kind or you would have been warding against it?—A. I had nothing to do about warding against it.

Q. I do not mean you personally, but the directors and the shareholders?—A. I

1-2 GEORGE V., A. 1911

can answer the first part of that question by saying that I think it was not generally anticipated that the results would follow that did.

Q. With respect to that meeting you have just spoken of, did the directors of the racing track license the bookmakers or exercise any supervision over them at all?

—A. I am afraid I cannot speak as to that.

Q. You do not know as to that. I understand from the chairman that his interpretation of this Bill is—you may correct me, Mr. Chairman, if I am incorrect—his interpretation of this Bill would enable individuals to bet between themselves at a race meeting where races were being conducted?

The CHAIRMAN.—Yes.

Mr. MEREDITH.—The chairman's interpretation is correct because he has introduced the Bill and should know what the interpretation should be.

The CHAIRMAN.—That is the intention at all events.

By Mr. Meredith:

Q. Assuming it to be correct that individual or verbal betting on the race course would be allowed, and the bookmaking would be done away with do you not think that the betting will increase in volume? That is to say taking the law as it is to-day. I go out to a race track and as a matter of fact I chance to put \$25 in \$5 bills in my pocket—I want to put this to you as man to man, and I want to get an answer to it—I have \$25 in my pocket in \$5 bills. I go out to the race track and under the system of betting which prevails in eastern Canada we have what we call licensed bookmakers, bookmakers licensed by the jockey clubs that conduct the races, and I put on the first race, say \$5. When I put up the \$5 I part with the cash. I feel the \$5 going out of my pocket, I have to take them out, I know what I am doing, and I put them up. Now, if this Bill goes into effect I cannot follow that procedure; that is done away with. The bookmaker with whom I have hitherto bet has disappeared, but I still have the same idea that I want to back my opinion. In order to bet I have to bet with a stranger or with a friend. Do you not—and I ask you to think about this—do you not think that the fact of doing away with the bookmaker will probably mean that I will be induced to bet larger sums with the individual than I would have bet with the bookmaker? Take for instance this case; I do not want to make my question too long—A. I see your point.

Q. This is the way it appeals to me; with the bookmaker I part with the cash. I have got to have cash to put up. Now, that is going to be done away with. Very well the individual—he may be a bookmaker in disguise—comes in under this Bill; if it is the bookmaker in disguise will be there. Now, I need not part with the cash. I may meet with a friend and that friend may say, 'I do not want to get \$5, I'll bet \$25.' I will say, 'You think you are a richer man than I am, I will make it \$50.' I would like to have your view, and I know you will give it to me honestly, as to whether from a moral standpoint the doing away with the bookmaker licensed by the jockey club will minimize or increase the betting on the race course?—A. I quite understand your question although it is pretty long.

Q. I know it is.—A. Now, may I ask a few questions to clear the air?

Q. Yes, sir.—A. I understand, Mr. Chairman, you are the promoter of the Bill.

The CHAIRMAN.—Yes.

The WITNESS.—And you say the effect of the amendment will not be to make illegal, individual betting on the race track?

The CHAIRMAN.—Yes, that is right.

Mr. McCOLL.—There is nothing to prevent a man from betting on his own horse as much as he likes.

The CHAIRMAN.—The Bill will permit individual betting but will do away with the professional betting.

Mr. MOSS.—Amateur betting.

The WITNESS.—Perhaps I have not properly understood that amendment. The

APPENDIX No. 6

Bill will do away with the professional betting, that is to say will do away with the bookmakers.

The CHAIRMAN.—Yes.

The WITNESS.—That is the idea?

The CHAIRMAN.—Yes.

Mr. MEREDITH.—Before you answer, because it is an important question; I presume you would be in favour of doing away with the tipster.

The WITNESS.—Yes, well——

By Mr. Meredith:

Q. I want to narrow it down now—I do not know what my client's view is, but that is my personal view—if you do away with the tipster, and the touter?—A. Well, if the effect of the amendment is not to make individual betting on the race track illegal, then the betting remains.

Q. Yes.—A. And the purpose would then be, under those circumstances, to my mind, to minimize the evil of open betting.

Q. I should suppose so.—A. Now the evils that we have seen in Vancouver would seem to me to more directly arise out of the accessories and the excrescences, the camp followers that follow the race meetings. I think the evils that Chief of Police Chamberlain referred to, as I said before I accept his statement at par, the evils to which he refers would be largely evils arising from the fact that the tipsters, touts, handbook men, pool rooms, information, advertisements, telegraphic communication and that sort of thing were allowable. It would seem to me that a great deal of what we have to complain of is accounted for by the fact that these things are allowable. Take for instance what I was mentioning this morning the boys, young men, who are not interested in horse racing, and who are not on the race track, become through the instrumentality of those agencies infected with the desire to bet and not at all with the desire to see the horse with the greatest endurance and the best skill win the race, which would be a rather laudable desire. It is merely and simply a desire to bet, and I think it is largely bred in these young men by the camp followers that I have mentioned. Now that being the way it would strike me, and to come to your question as to whether Parliament could best minimize the evil, assuming that parliament has done away with these outsiders, whether it could then best minimize the evil by doing away with the bookmaker or not would be, as I think you said yourself, largely a calculation of probabilities, it is a question that is more or less suppositious and I would have to reason out what the effect would be the same on anybody else. For instance I could imagine that the book maker hedged about by proper discipline, by severe discipline—

Q. That is the bookmaker on the track you are referring to?—A. On the track during the meeting, I could imagine it is debatable whether or not it is not minimizing the disposition to bet, because that is after all what we are trying to do, and its attendant evils. It might be a question whether or not that was not minimizing it quite as much as if you did away with it for the reason that you seem to state, I can quite understand it is all imaginary, that if there were no bookmakers and if a man went to the meeting and fell in with others and began betting he would be betting with these same bookmakers who would be there in disguise, and probably as you say the money would not be put up as it is now, and it is easier to bet \$100 if you haven't it in your pocket and do not have to put it up than it would be if you had to put the money up when you made the bet. Possibly it might have that effect, but as I say that is largely a hypothetical case, which no man, I should imagine has the experience that would enable him to solve off hand. I would say, though I do repeat myself that this foul unchecked torrent of evil and filth and offensiveness that followed the meeting in Vancouver I could imagine might be very effectually checked, to a large extent, by lopping off the branches of this tree of knowledge.

By Mr. Meredith:

Q. I do not know whether I quite understand you, I think I do; in other words

you think that if legislation were passed which would effectually prevent the tout—A. And the tipster.

Q. And the tipster, the pool room, the bookmaker off the track, the hand book men and the telegraphic communication from the track to, for instance, the pool room, you believe that if those things were followed up—A. And the publication on one page of the journal of the tips, which amounts to the same thing, and on some other page an article, whether it is editorial or not, condemning what appears on the other page.

Q. At all events the doing away with the advertising of bets in the newspapers, you believe if that were done and effective legislation were brought in that would do away with a great deal of evil?—A. Of the evil that we saw, and by the way I would like to point out.

By Hon. Mr. Stratton:

Q. In other words, you are getting at the point that if betting is confined to the race track there is not so much harm in it, when it is kept under control.—A. It would greatly minimize the evil.

Q. That is if legislation is to approve of it?—A. Yes, assuming that you are going to legalize individual betting.

By Mr. Meredith:

Q. With proper limitations as to the length of time of the meeting, supposing just for one moment that legislation is brought in to do away with the pool room, the handbook, the telegraphic communication from the track to the pool room, the tout, the advertising in the newspaper, the tipsters and all that, assuming that that has been done and the length of the meet is shortened to say 10 or 12 days for each meeting and that there is a lengthy period between the meetings, assuming that, do you not honestly think, because we may all have our opinion on that and you are giving evidence, do you not honestly think that there will be more betting on the race course if the incensed bookmaker on the race course is prohibited? We have all to come to that; that is the question, it seems to me that is the vital question in this bill from the moral standpoint.—A. As I said before it seems to me that is a debatable question, I have never seen a race meeting where there were no bookmakers, and therefore I cannot say. I am scarcely in a position to answer, except in a very general way, your question.

Q. I do not want to take up the time of the committee, but it seems to me we are getting really at the kernel of the question; supposing that individual betting is allowed on the race course?—A. Yes.

Q. And supposing that the bookmaker who is licensed by the jockey club, and for whom the jockey club is practically responsible, is done away with, do you not honestly think that the betting will increase in volume; there will be no necessary parting with the cash, it will be a matter of credit, instead of putting up the cash; do you not think, from your experience of men, that the betting will be for larger amounts, and that instead of you or I going to a race meeting and putting up \$5.00 with the bookmaker we will have to bet with individuals? Do you think that betting will be for larger amounts and perhaps with very irresponsible people as a matter of fact?—A. Yes, I can see this but I cannot say it with any more authority than anybody else in the room—

Q. Certainly not.—A. That is it would seem to me, if the betting is on credit, the amount is liable to be larger, but I do not know that the individual bets will be more numerous.

By Mr. Raney:

Q. In other words, you are not an expert in this line?—A. No.

Mr. MEREDITH.—One minute. We are trying to get at the truth of this thing. You are trying, Mr. Raney, to advance the moral tone of this country and we would like to go with you if the Bill will accomplish that advance; but I am trying to find out whether it will or not.

APPENDIX No. 6

The WITNESS.—That is scarcely a question on which my opinion would have very much weight, because I have not seen that set of circumstances which you have described.

By Mr. Stratton:

Q. Do you think that it is absolutely necessary and essential for the development of the thoroughbred horse in British Columbia to have bookmaking on the race tracks?—A. I have never been able to reason that far.

Q. You do not think it is necessary?—A. I cannot see the connection between the bookmaker and the breeding of horses.

By Mr. Moss:

Q. Are you a horsebreeder, have you had any experience in horse breeding?—A. Not a great deal. I have had some experience, not in thoroughbreds.

Q. What horses have you bred?—A. I have had some standard bred horses.

Q. To any extent?—A. Oh no.

Q. Do you think that racing is essential or not to the breeding of horses?—A. Yee, I do.

Q. You would not dispute the evidence that has been given by Dr. Rutherford that racing is essential to the development of horses?—A. I think it is.

Q. As distinguished from a cow, or pig, or other animal, the thoroughbred horse and the horses that are derived from thoroughbreds depend upon racing to keep the stock virile and strong, do they not?—A. I think so.

Q. In your character as a lawyer and legislator, do you think that horse racing can be carried on without some form or other of betting at its present stage of development; I do not ask whether it is right or wrong?—A. I do not know that the question is material because I understand that the effect of the amendment is to legalize individual betting?

Q. Then we will leave it at that. Then if individual betting is permitted, as a practical legislator and a man of experience in the law, do you think it is practicable to distinguish between the professional and the amateur better—if I may use the expression—do you see any line of distinction?—A. I can distinguish between a bookmaker and a Pari Mutual.

Q. But if there was no outward and visible sign of disgrace, could you distinguish them?

The CHAIRMAN.—That is a grave admission.

Q. If there was no outward and visible sign of his calling as a bookmaker, could you distinguish between the professional better and the amateur?—A. I see what you mean. I did not understand that was the object of the Bill, to brand a man whose business is betting. That is——

Q. If I understand, Mr. Cowan, I may be wrong and the chairman will enlighten me if I am, the intent of this Bill, whether the language carries it out or not, is that you, or I, or Mr. Raney, or any gentleman present who put themselves forward as amateurs, may go to the races and bet, but that the man who is classed by the law as a professional better——?—A. No as a bookmaker.

The CHAIRMAN.—Who is in the business of racetrack gambling.

By Mr. Moss:

Q. Who is in the business of racetrack betting, whatever that may be, that he may not bet. Now, as a practical legislator, do you see any basis on which that distinction can be drawn?—A. I would like to see a copy of the amendment.

Mr. RANEY.—Surely this is a matter of grafting altogether.

The WITNESS.—Have you a copy of the amendment, Mr. Chairman?

The CHAIRMAN.—No. Mr. Cowan, I might say this: There may be defects in the wording of the Bill but that would be immaterial to our present argument.

Mr. MOSS.—Have I correctly stated the intention of the Bill?

The CHAIRMAN.—You have used the words of Mr. Meredith that it legalizes private betting. Now the Bill leaves private betting exactly where it is.

Mr. MOSS.—No betting is illegal at the present time unless it is carried on in a betting house.

The CHAIRMAN.—No, the Bill seeks to prevent the business of race track gambling.

Mr. MOSS.—Racetrack betting, I believe.

The CHAIRMAN.—Or racetrack betting, it does not make any difference. It applies to any man who carries it on as a business.

Mr. MOSS.—You are perhaps familiar with the fact that the Court of Appeal has decided that there is a distinction between betting and gambling in the case of Allen decided the other day.

The CHAIRMAN.—The Bill asks to entirely prohibit the business of the bookmaker on the race track.

Mr. MOSS.—I have never heard it laid down what constitutes exactly the business of a bookmaker. It has been said in the courts of New York that the distinctive feature of a bookmaker was that he had a book, that is to say he recorded the bet, not that he bet for his livelihood, not that betting was his means of livelihood, or his profession, but that he recorded his wagers in a book or on a tablet, whatever it was, some permanent means of record. Now I do not understand—and the whole drift of this inquiry has been in a contrary direction, the argument of my friend, Mr. Raney, has been that it is desired, in fact that it is sought, to wipe out the distinction between a man betting in a booth and a man walking up and down—that it is intended to make the criterion of whether the action is a crime or not, depend upon the mere fact of whether a man writes a bet down on a slip of paper or not. Surely the legislature of the Dominion of Canada is not coming down to such a trivial distinction as that? Yet the distinction, if I understand the Bill, is sought to be drawn in the case of a man who carries on betting, whether he bets as a professional or as an amateur. Is that right, sir?

Mr. MONK.—Do you think you could get that evidence from this witness? I think that could only be proved by men of experience in betting and racing, as to what character the betting would assume if this Bill passed.

Mr. MOSS.—I entirely agree with you, and I think that the only evidence that has been before the committee—if I may say so with all respect—that is worthy of consideration is the evidence of police experts and the people who are familiar with racing, the racing experts who know the actual facts in connection with it.

Mr. MONK.—That is very important I should think, but not a question that should be put to an ordinary witness.

Mr. MCCOLL.—And witnesses have been put on the stand within these last few days who really do not know anything about the matter.

Mr. MONK.—Mr. Cowan's experience is very similar to my own. I have been to races and have bet, but I could not give an opinion on that particular point, because I have not had the experience, and it requires a very wide range of experience.

Mr. MOSS.—I would just ask Mr. Cowan if he could give an expression on that point?

The WITNESS.—I never saw this wording, and it seems it is supposed to change the wording of Section 235 in the amendment as introduced.

Mr. MOSS.—That brings up a point. When we met some days ago Mr. Raney handed out, or handed in, a typewritten amendment to the Bill. I do not know whether the committee has adopted that amendment.

The CHAIRMAN.—No.

Mr. MOSS. We have been discussing the Bill as printed all along, and I have not objected, notwithstanding the fact that Mr. Raney had offered some amendments.

The CHAIRMAN.—It is sufficient to know the object that we seek to accomplish, is it not?

Mr. MOSS.—I think so. Then, Mr. Cowan, leaving aside the language of the Bill

APPENDIX No. 6

for the moment, I understand from the Chairman that the object of the Bill is to prohibit bookmaking, to restrict all bets by what we may term professionals, and to leave the position of the law that it is legal for the amateur to make bets.

Mr. McCOLL.—And horse owners.

Mr. Moss.—I suppose they are amateurs as far as betting is concerned. Do you feel qualified to express an opinion as to whether it is practicable to make that distinction, that is as a practical legislator?—A. I have had some experience—have you Section 227 of the Criminal Code? I will answer your question in a moment, Mr. Moss. My experience has been that the enforcement of Section 227—

By Mr. Moss:

Q. Is that the common betting house section?—A. Yes, the common betting house section; that is difficult enough as it is, for example, I think I mentioned this morning that under that section we found that if a bookmaker stands on a chair he is a criminal, and if he gets down and stands beside the chair he is an innocent man—that is according to the decisions of the court. It would therefore seem to me that—

By Hon. Mr. Stratton:

Q. Are you giving to us expert evidence on law?—A. No; I do not see why he should ask me all these questions.

By Mr. Moss:

Q. I asked you if you thought you could give an opinion; if you do not like to give any opinion, I do not press it?—A. On the law as it stands I can tell you the difficulty; but on an amendment that is not yet drafted even, I could not give an opinion.

By Mr. Blain:

Q. Mr. Cowan, did you hear what Mr. Templeman said?—A. No, I did not.

Q. Did you hear what he said in respect to public opinion in your province?—A. No.

Q. Well, will public opinion in your province endorse this Bill as it now stands do you think?—A. I scarcely know how it stands.

By the Chairman:

Q. Supposing it does all we say it does?—A. That it does away with the bookmaker?

Q. Does away entirely with the bookmaker?—A. Yes, it will endorse it.

By Mr. Blain:

Q. And if it allows private betting on the track?

By Mr. Stratton:

Q. If it allows private betting anywhere?—A. Well, that is not what the Bill does, it is what the Bill does not do.

Q. It does not declare private betting illegal?—A. That is what it does not do; now what it does do it would seem to me, as I said before, that since this amendment recognizes the legality of individual betting on the race track then the utmost we can do is to minimize the evils that flow from betting.

By the Chairman:

Q. I must say, Mr. Cowan, it was thought by those who introduced the Bill that it would be impossible, no matter how we legislated or how we worded the statute, to do away with all private betting; you will agree with that won't you?—A. I quite understand that.

Q. I would like to ask you if you know anything about the Fred Hart case in
6—18½

Vancouver, he was an employee of the Dominion Trust Company?—A. I know Fred Hart and I saw the report in the newspaper.

Q. Have you any other means of knowing whether that report was true or not, or do you believe it to be correct?—A. I have no other means, I rather think that it is substantially correct.

Q. Well, you might tell us what was the case?—A. Well, I think you have it there, Mr. Chairman.

Q. No, I haven't it before me?—A. No.

By Mr. Monk:

Q. Has he personal knowledge of that particular case?

The CHAIRMAN.—No, except that he says that he knows the man and believes the story to be true.

By Mr. Raney:

Q. Where does the wire come from to the paper?—A. It is a press despatch saying that this Fred Hart, who was an employee of the Dominion Trust Company was found to be short in his accounts; the case came up in the police court and his lawyer attributed it to the fact that he was playing the book at the race meeting.

By the Chairman:

Q. There is just one question I would like to ask you. A question was asked I think by Mr. Meredith and as I understood that question it was in effect this that of course the law as we have it now does not prohibit private betting, and this proposed law would not make any change insofar as the making of private bets is concerned, but it does not do away entirely with the bookmaker. As I understood Mr. Meredith's question it was whether if we completely shut out the bookmakers, who are in large numbers on the track and pay out large sums of money for the privilege of betting, they are there for the business of betting, if the removal of the bookmakers would increase the amount of betting?

Mr. MEREDITH.—The question was if you remove only the bookmakers who are licensed by the jockey club on a chartered race course, I do not want to interrupt you at all, Mr. Chairman, but I want to put the question as I put it to him.

Mr. MOSS.—You mean by 'bookmaker' the common professional bettor?

The CHAIRMAN.—I mean the professional bettor?

Mr. MOSS.—Whether he has a book or not?

The CHAIRMAN.—Whether he has a book or not, that is the man that this Bill would prohibit carrying on his calling as a professional, as a gambler or bookmaker as you choose to term it; if that man were done away with and prevented from carrying on his calling would it be reasonable to suppose that would diminish the amount of betting or not?

A. Mr. Chairman, that is not Mr. Meredith's question.

Q. Then let it be mine if you will. A. I will distinguish, Mr. Meredith says, if the bookmaker is done away with that will not necessarily reduce the amount of betting.

By Mr. Meredith:

Q. Yes, on the track?—A. At that time I had not seen this typewritten change in the Bill and I said that if the bookmaker was not in evidence in his stall or on the track as a bookmaker he would be plying his trade in disguise, and that I could well imagine it would not reduce the amount of betting. Now it seems the intention of the Bill is to make illegal not only the bookmakers' trade as it is carried on at the present time, but the business or occupation of betting.

Well now, what would be the effect of that?—A. If I knew exactly what that meant, I assume that that means the betting, the making a business of it for gain.

The CHAIRMAN.—What would the effect of that be?

APPENDIX No. 6

Mr. Moss.—Excuse me, is this not a question Mr. Cowan said he did not feel qualified to answer.

The WITNESS.—Yes, exactly.

Mr. MEREDITH.—It is a very fine question you know.

The CHAIRMAN.—Is it a question you would not care to answer, Mr. Cowan?

The WITNESS.—I have never seen those words interpreted by the courts so far as I can remember. "The business or occupation of betting." There have been decisions of the court on similar wording, whether the two acts would be sufficient to class the act as a business, two individual acts. Whether that would mean that a man could make one bet or two bets—

By Mr. Moss:

Q. Did you read what Lord Halsbury said about that matter in *Powell v. Kempton Park Race Course Company*? He said: "I am not certain that I appreciate the distinction which I observe is sought to be drawn between what is called professional betting men and other men who bet. In respect of games which people play for amusement or pay, the distinction is intelligible enough; but all people who bet for money mean to win money whether it is for the sake of a living or for the sake of adding to the money which the bettor already possesses, seems to me altogether illusory distinction." Would that not commend itself to you as reasonable?—A. Offhand I would be unable to make the distinction.

By Mr. Powell:

Q. As to the personnel of the Vancouver Association you know who the directors are, do you not?—A. George Macdonald, Clarence Narpole and Mr. Senkler, I believe.

Q. Mr. Wade?—A. Yes, Mr. Fred Wade.

Q. Mr. J. H. Senkler?—A. Yes.

Q. I have here the original list of the shareholders. I would like you to look through the first page, read out to me some of the names of the gentlemen there whom you know yourself personally or can identify from their signatures, and tell me what their status is in Vancouver?—A. A. H. Abbott is brother to the late Sir John Abbott, and General Superintendent of the C.P.R.; D. T. Rogers is the Managing Director and chief owner of the Sugar Refinery; Mr. Narpole is the executive agent there of the C.P.R.; Sir Charles Hibbert Tupper you all know.

Q. Six or seven names you will probably recognize as bank managers in Vancouver. Am I correct in the case of Mr. Sweney, Manager of the Bank of Montreal?—A. Yes.

Q. Mr. Burns, Manager of the Bank of Nova Scotia; Mr. Jukes, Manager of the Imperial Bank, and Mr. Walker, Manager of the Royal Bank?—A. Yes.

Q. And if you turn to the bottom of page three you will notice the name of Mr. Wilson, ex-Attorney General.—A. I do not think it is under this.

Q. I merely wish to let the committee know the status of these gentlemen.—A. I know that not only the directors but the shareholders of this Association are beyond criticism, substantial men, men who would not be identified with anything of a doubtful character if they knew it.

By Mr. Sinclair:

Q. Do they approve of this Bill?—A. I imagine that the majority of them do.

By Mr. Powell:

Q. You have been out to the Vancouver race track have you not?—A. Yes.

Q. Many times?—A. Once.

Q. About how many bookmakers were there present?

Mr. RANEY.—Do you mean last year?

Q. The only year they have ever run.—A. I was there one day. My recollection is there were fifteen.

Q. You did not see any disorder or confusion there?—A. Disorder and confusion—

1-2 GEORGE V., A. 1911

Q. No misbehaviour generally speaking?—A. Disorder and confusion and misbehaviour were not noticeable on the track; that is not what the citizens complained about so much.

By Mr. Moss:

Q. I would just like to ask one question. You are quite satisfied that these gentlemen who are connected with this club did not anticipate the unfortunate results which occurred there last year; they did not go in deliberately to produce those results.—A. I think I can say they did not go deliberately to produce those results.

Q. And they could be relied upon I suppose to use all reasonable efforts to see that such a thing does not occur again?—A. We have no better people.

Q. And the circumstances were very exceptional last year were they not on account of the Seattle exposition and the long race meeting, coming in conjunction with it, and the lack of experience of these gentlemen, in the matter of the running of a race meeting?—A. I do not think they erred in judgment so much. I think the evil largely arose, as I have said, from the tipster and the tout and the general camp followers.

By Mr. Stratton:

Q. Did they not make any efforts to endeavour to stem the tide?—A. I would not say that. I know one track where they did. I have been on the Woodbine and I was out on this track. I happen to know that the management of the Minoru track actually did what they could to prevent advance and telegraphic information.

By Mr. Moss:

Q. I presume that the presence of the Seattle exposition would naturally draw to itself a large element of undesirable characters from all over the continent.—A. I imagine it would, but I do not know why they should centre on a race track.

Q. No. But they would be drawn to Seattle?—A. Yes.

Q. And they would be in the neighbourhood, and they would be naturally looking for another meet and further help? What I mean is that your conditions were exceptional there last year?—A. They were rather exceptional in that way.

Q. I do not want to elaborate or labour on that point?—A. I do not imagine they are going to have another Seattle exposition.

Q. And you are not going to have another race meeting of that kind, whether this law is to be amended or not; your directors are not going to stand for that?—A. I do not know that.

Q. For another race meeting of that length?—A. I would say this, Mr. Moss, that the possibility of repetition would not only justify, but require, legislation at the hands of parliament.

Q. Do you think, Mr. Cowan, that if the length of the meeting is curtailed and these persons that you have spoken of—the tipster and the tout and all such things are eliminated as well as the handbook and the pool room, that that would not satisfy further requirements?—A. As I have said already I think it would go a long way towards minimizing the evils following from a thing you recognize as evil.

Witness discharged.

Mr. RANEY.—I was going to suggest that as Mr. Malone had the witness stand this morning and he left the stand on my request I said that if he would let me see the papers he intended to read I would see whether I was prepared to consent to his making a statement on hearsay. In saying that I am prepared to do this I am not abating my position as far as my right and the committee's right to see the books of this association are concerned. I am content that Mr. Malone, on behalf of the Niagara Falls Racing Association will make any statement he cares to make and I will ask him any question that may suggest itself to me with reference to it.

APPENDIX No. 6

The CHAIRMAN.—I might say this that the committee are sitting here to-night to try if possible to get through with two or three witnesses who are very anxious to get away. We have only two or three hours' time and the solicitors engaged can help us very much in expediting our work; we are not going to sit here until all hours and I ask the solicitors to make their examination as short as possible.

Mr. GORDON J. LEGGATT, called and sworn.

By Mr. Moss:

Q. Mr. Leggatt you are police magistrate of Windsor?—A. I am, yes.

Q. And you have occupied that position for how long?—A. For one year and one month.

Q. And you have been residing in Windsor for how long?—A. All my life.

Q. You are a lawyer?—A. I practised law before becoming police magistrate.

Q. As a member of the firm of Patterson, Leggatt & Murphy?—A. Yes.

Q. You have been familiar with the Windsor race track?—A. To a certain extent I have been. I do not say that I am altogether familiar with it because I do not take any particular interest in races.

Q. Have you had any occasion since you have been on the magisterial bench to observe any evils resulting to the town from the presence of the track there?—A. I have had several cases, yes, but not many, one case of pocket picking, one case of night riding and two or three cases of vagrancy, disorderly conduct.

Q. One case of picking pockets?—A. One case of night riding, that is taking a horse out that is supposed to win a race the next day and riding him to exhaust him practically so as to put him out of the race.

Q. And two or three cases of vagrancy?—A. Yes.

Q. How many cases have you had altogether since you have been on the bench?—A. Since I have been on the bench I think that the chief of police reports there have been 603 cases in Windsor alone.

Q. Would you think that this case, of pocket picking and the case of night riding and two or three cases of vagrancy were sufficient to bring the race track into prominence as a foundation of crime at all?—A. You mean as a disorderly place?

Q. Yes, what is the character and conduct of the attendance there?—A. Order is kept there in very good shape; the place is well policed and we have had no particular complaint as to the disorderly character of the place at all, in fact there have been no complaints at all.

Q. How is the track viewed by the citizens of Windsor as regards its relation to the town?—A. This is only my opinion, so far as I am concerned.

Q. I understand?—A. They look upon it as a benefit to the city.

Q. Do they derive a considerable amount of profit from it?—A. I believe they do, yes.

Q. And so far as Windsor is concerned, in your opinion, is there any cause for legislation which would put this track out of business?—A. Not in so far as the disorderly conduct is concerned.

Q. Well, in any other way?—A. It is an orderly conducted race track, as far as my views are concerned.

By Mr. Raney:

Q. Mr. Leggatt, how long have you been police magistrate?—A. One year and one month.

Q. How long have you been practising in Windsor?—A. I have been practising there for twenty years.

Q. During all that time you have heard no complaints about the evil influence of the race track?—A. I never indulged in police court practice.

Q. This is new to you?—A. Yes.

1-2 GEORGE V., A. 1911

Q. This was outside of your professional work?—A. It was outside of my work.

Q. I would like to call your attention to a speech made by Mr. A. H. Clarke, M.P., the representative of South Essex in this House, who on the first of May, 1905, made a speech which I find recorded on page 5138 of *Hansard* on this very question. This is what he said, speaking as the result of his experience:—

I happen to reside in a city where we have horse races, where there is a great deal of betting, and I can say that there is no greater curse to the community than this race track. The horse races are incidental; the gambling and betting is the main issue. I know nothing that has ruined more young men in that vicinity than this very race track. It has been my experience to have to prosecute several young men who were in trusted positions, but who had squandered the money of their employers, all traceable to this race track.

You never heard of this thing?—A. Well, Mr. Robb is the Crown prosecutor and Mr. Clarke was prosecutor before him; I could not say on my own information and actual experience that I have had any case come before me in which any body was ruined at the race track, I am only speaking of what has come before me.

Q. You would not contradict what Mr. Clarke says?—A. I would not contradict what Mr. Clarke says from his own personal knowledge, I am only speaking from my own experience.

Q. Is it not true that Windsor has been brought into a great deal of ill-repute from the transactions on this track?—A. Rightly or wrongly, it is.

Q. I find that not long ago, on such an eminent authority as the American Encyclopaedia, which was issued in 1907, or 1906, there is this information under the heading of 'Horse Rasing':—

In 1895, some American promoters established themselves at Windsor, Ontario, just across the river from Detroit, and brought sport into great disrepute in that part of the province.

That is what you say, that although you have lived in Windsor all your life you do not know that Windsor has suffered a great deal in reputation during the past few years because of the operations of this race track?—A. I do not know about that, that is before my time.

Q. But you were there at that time?—A. I was there at that time, yes.

Q. This carries you back 13 or 14 years to 1895, you have heard of these things, have you not?—A. I have heard of some things, but I would not like to swear to it positively.

Q. At all events you would not say this that the operations of this race track have added to the good reputation of Windsor?—A. Not in previous years, no.

Q. In what respect have the operations of that track been improved, do you know?—A. It has been better policed and there is a better class of racing now.

Q. Since when?—A. Since the last two or three years.

Q. Has it been under different control?—A. I believe it has.

Q. Who is it controlled by —A. Well, there has been a racing association formed and that has kept it under better control they are policing it and they are looking after it in better shape now.

Q. Who are the gentlemen who control it now, we have been trying to get them here?—A. There is Mr. George M. Hendrie and Mr. Parmer.

Q. Mr. Hendrie is a Detroit gentleman, is he not?—A. Well, I think he is a Detroit gentleman, Hamilton and Detroit.

Q. And who else?—A. Mr. Parmer.

Q. Farmer, of Nashville, Tennessee?—A. Yes.

Q. And how many years have these gentlemen been running the track?—A. I should judge, as far as I know, three years.

Q. Do you often go there yourself?—A. Occasionally. I take no interest in the racing at all.

APPENDIX No. 6

Q. It is largely patronized by poor people?—A. Largely patronized by poor people.

Q. Three-fourths would you say?—A. I should say ninety per cent.

Q. Poor people?—A. Yes.

Q. The horses are American horses largely —A. I would hardly say that.

Q. Are the bookmakers Americans?—A. I don't know anything about the bookmakers.

Q. The people are nearly all Americans?—A. Are nearly all Americans, yes.

Q. Have you heard anything in Windsor of the demoralization of the police who are assigned to duty at the race track?—A. I certainly have not.

Q. Are your police assigned to that duty?—A. I am a member of the Board of Police Commissioners of Windsor. We assign two or three police officers to go there and look after things. Mind you it is outside the city of Windsor.

Q. And they are paid by——A. They are paid by the Racing Association people. There are county constables who are also in attendance and in addition to that there are the special officers of the racing association.

Q. Now, I ask you whether in your view the legalization of bookmaking in the city of Windsor has been a good thing for the community?

Mr. MEREDITH.—On the race track?

Mr. RANEY.—Certainly.

A. I decline to answer that question. I do not know anything about it at all, in fact I take very little interest in horse racing.

Witness discharged.

Mr. E. T. MALONE, Toronto, called and examined.

Mr. MALONE.—I have a telegram from Mr. Madigan authorizing me to appear as solicitor for the Association, also a telegram from Dr. Bruso, Buffalo, stating that Mr. Madigan is confined to his room with acute bronchitis and he has advised him to return south when he is able to travel. I am solicitor of the Association which took out its Charter under the Ontario Companies Act on the 27th day of April, 1906. The company was capitalized at \$100,000.00. This \$100,000.00 went to purchase the Fort Erie Race Track and premises which was purchased subject to a lease thereon to Messrs. Parmer and Hendrie and which lease did not expire until the end of 1907 or the beginning of 1908, so that during the years 1906 and 1907 Parmer and Hendrie were lessees of the track and conducted the race meetings thereon. The Niagara Racing Association, therefore, have only had the actual management of their property for the years 1908 and 1909. On the termination of the Parmer and Hendrie lease, the property was in such a dilapidated condition, particularly the grandstand, stable and track, that in order for the present owners to commence business thereon it was necessary to borrow and expend large sums of money in not only grading, draining and levelling the track but in erecting grandstands, club house and stables. In these two years according to Mr. Madigan's statement it has cost for improvements and etc. over \$91,000, making the investments amount to about \$200,000. He wishes me to state that the racecourse property and equipment at Fort Erie has not an equal in the Dominion of Canada, that it is conducted in a lawful manner and they have as yet to hear of a complaint with regard to the management; that their money has been expended in Ontario; that their employees are from the county in which the race track is situated; that the general public in the locality are benefitted as supplies for the attendants, for horses and &c., are all purchased in the county. That while it is

true the shareholders expect to realize a profit on the investment, that the general public are also benefitted and that special attractions are offered for the encouragement of wellbred horses and particularly horses owned in Canada, and that the purses given at Fort Erie are not surpassed upon any other track, and that next year the attractions in the shape of purses will far surpass that given upon any other track, all of which according to his opinion tends, and will tend, to the improvement in the breed of horses in the Dominion of Canada.

It is true that booking privileges are sold by the association. The law is not violated in any respect in this matter. The number of books will amount to about 15. The race meet for last year, however, extended over thirty days, for the year 1908 the racing term was about thirty days. He was not able to give me, without reference to the Secretary and the books, the amount obtained for advance information.

The association also derived profits from the bar, cigar and restaurant amounting to about \$3,000 in 1908, and about double that amount for 1909, but bear in mind that this covers thirty days racing for each year.

There was about \$85,000 paid out for purses and stakes in 1908 and about \$89,000 in 1909. Their pay roll for 1908 amounted to over \$17,000 which does not include the amount they paid for feed for live stock and &c., while in 1909 the pay roll, with the same exceptions, amounted to over \$20,000. In addition they pay heavy taxes to the municipality and heavy premiums for fire insurance and there is considerable expense with regard to advertising which he was not able to estimate. He could not without the books give an estimate of the gate receipts, nor could he give the bar receipts and expenditures. The figures above given are to his recollection the profits to the association from the bar. He could not estimate the value of the property and assets. For racing purposes in his opinion the value should be about \$350,000. If racing was not carried on as at the present time the value would be based on the value of farms of the same acreage in that locality.

For the first two years the shareholders had only the rental received from Parmer and Hendrie to divide, and then only after paying for care-taking, insurance premiums, taxes, repairs and water supply.

The Annual Meeting for this year has not yet been held, but a fifteen per cent dividend has been directed to be paid. He could not say, on account of the great expenditure for new buildings and &c. in 1908, what profit or dividend was paid to the shareholders, but that it could not have been a very large one as the money borrowed and expenditures were very great; that the association takes every care in the Police protection to the place so that undesirable characters are kept away and that he will guarantee that the percentage of undesirable characters who may work their way through the gates will compare more than favourably with any city race track in the Dominion.

If betting on race tracks were to be prohibited the race track would have to be closed.

The association is a member of the Canadian Racing Association, of which Mr. Fraser is secretary.

The question of cutting down the number of racing days in the year was discussed at that association and the opinion appears to prevail that if the number of days were limited that there should be two meets in the year each of fifteen (15) days duration.

You understand I am not here as witness but as counsel. I will answer questions as best I can, but I do not propose to be turned into a witness.

By Mr. Raney:

Q. The shareholders of this association are, John H. Madigan, president; Sam Adler, St. Louis, Missouri, secretary; Dan A. Stuart New York City.—A. He is dead.

Q. Louis A. Cella, St. Louis; and John Condon, Chicago. Those are the shareholders numbering five?—A. They were in 1908 but I think there have been one or two changes I am not certain as to Mr. Condon, but I know Mr. Stuart is dead.

APPENDIX No. 6

Q. Can you tell me whether this Mr. Cella mentioned here is the same Louis Cella who is said to have brought horse racing in Missouri into such disrepute?—A. I could not tell you.

Q. Will you tell me if Mr. Madigan is interested in sports other than horse racing?—A. Not that I am aware of.

Q. Do you know anything about what are called the Texas Rangers?—A. I don't know anything about it. I am counsel acting for respectable people. If I did not think they were in legitimate work I would not act for them.

Q. Then the directors are the same as the shareholders?—A. You may say so.

Q. They are all foreigners except Mr. Madigan?—A. He is a Canadian.

Q. Where does he live?—A. His residence is in Texas now. He lives here five months of the year.

Q. Where is the head office of your association?—A. Bridgeburg.

Q. And who is the secretary?—A. Mr. Hochmeister. You will find it on your list as Mr. Adler.

Q. What is his first name?—A. I cannot tell you. I could give you the name exactly if I looked it up.

Q. All right if you will give it to me. Now you say the shareholders expect to realize a profit; that is what these men are interested in it for, I take it.—A. And is it not reasonable to suppose that?

Q. That is what I thought.—A. I am not in my business for my health and I do not suppose anybody else is.

Q. No, it is a business proposition?—A. Certainly.

Q. And it is a business proposition based upon bookmaking?—A. Well, mind you, I am not an expert in this business and I can give you very little information about the race track business, but Mr. Madigan says this, 'Do away with bookmaking and you might close the race course;' so I am taking him as my authority, but I could not give you that of my own knowledge.

Q. You infer from what he says that the business itself depends to a great extent on bookmaking?—A. That is the upkeep of a race course with that much money invested in it.

Q. And those Americans who are running the Fort Erie track are not putting forward any sentimental claim, you do not know of any?—A. I do not know, I suppose these people have embarked in that business and put their money into it, expecting to get some returns.

Q. They are not here to improve the breed of thoroughbreds in Canada?—A. I am given to understand that by Mr. Madigan.

Q. Are you given to understand by Mr. Madigan that that is their purpose?—A. That is one of their purposes, that is what he says they are here for.

Q. That is one of their purposes?—A. Yes.

Q. He says that the law is followed, I suppose the bookmakers keep on the move?—A. What I understand by that is this, you can understand my answering this as a reputable solicitor, that if this were not a legitimate work and a legitimate organization I would not be acting for them.

Q. That is what you mean that bookmakers keep on the move?—A. That is what I meant, that those I work for are engaged in a legitimate work.

Q. Can you tell me what the relation between the bookmakers and the Niagara Racing Association is? Are they employed by the Niagara Racing Association?—A. I can only give you my surmise about that; as I told you I imagine they are not employed.

Q. Do you know then how much they pay a day for the privilege?—A. No, I do not.

Q. Do you know how much they pay altogether, because Mr. Madigan does not appear to have told you that?—A. No.

Q. Mr. Madigan appears to have told you what he wanted this committee to

know?—A. Mr. Madigan was very free in giving what information he could; I did not ask him that, but I think if I had asked him that question he would have had no hesitation in replying. There are certain members of this association, the Canadian Racing Association that I am speaking about, Toronto, Montreal, Hamilton, Windsor and Fort Erie; now this association controls the legitimate racing, what is called legitimate racing on legitimate tracks; they are all in the same box, if any of those race tracks, or the incorporated companies owning them, indulged in any illegal transactions, they would be turned out of the association.

Q. Mr. Madigan did not give you any statement of gate receipts?—A. No, he says they cannot find the books.

Q. And he told you that the liquor licenses was worth about \$6,000 in 1909?—A. Yes.

Q. Now they have, I understand, a liquor license?—A. Yes, they are licensed, I know that for a fact.

Q. Like a hotel, they are licensed?—A. It is a hotel license.

Q. And that hotel is on the track?—A. On the race track.

Q. I am told by some racing men that it is considered an exceedingly objectionable thing to have a license on the race track?—A. I do not know that, I have not been on a race track many times in my life.

Q. Mr. Madigan tells you this, as a racing property, is worth \$250,000; when he told you that I suppose he desired to indicate that there is a racing revenue amounting to the interest on that?—A. I suppose what he means is that if anybody wanted to buy it, it is one of the best equipped race tracks in the Dominion; they would not take that money for it.

Q. And they have paid the shareholders 15 per cent?—A. Those are my instructions.

Q. Is there a cash surplus there now?—A. I think so.

Q. Is it intended to declare another dividend out of that?—A. It would not surprise me if they did.

Q. You do not know how much of a dividend they intend to declare?—A. No, I do not; but it would not surprise me if they did declare another dividend, because they have not had their annual meeting yet.

Q. Your club is a member of the Canadian Racing Association?—A. Certainly.

Q. Do you make any distinction between your club and the Woodbine Club?—A. The club of which I have the honour to be solicitor I am not holding any stock in, but perhaps I would like to hold it; there is no distinction, except that they say they are a better equipped track than any other track in the Dominion; all their dates and the length of their meets are all regulated by the Racing Association so that there will be no clashing.

Q. I find in the *Toronto Globe* of to-day some evidence of Dr. Rutherford, in which he expresses very strong disapproval of the Fort Erie and the Windsor, and strong approbation of the Toronto, Hamilton and Blue Bonnets meetings; what have you to say about that?—A. I will answer you in this way, if Dr. Rutherford be correct—I protest against anything like this if it comes from any of the other companies. This Niagara Association is on a par with, if not better equipped than the others, as I understand from Mr. Madigan, and Dr. Rutherford makes a statement like that I should certainly say that he is very unfair.

Q. That is from your point of view. Yours is a joint stock company?—A. Certainly.

Q. For money making purposes—

Mr. Monk.—Do you think that helps us a great deal?

By Mr. Raney:

Q. And the others are joint stock companies?—A. Certainly. I do not suppose they would be building tracks if they were not.

Q. Can you tell me, because I am told it is a fact that the racing information is

APPENDIX No. 6

telegraphed from your track to the pool rooms in the United States?—A. I do not know anything about that.

Q. I find that fact stated, apparently on oath, before the committee——

Mr. MOSS.—Not on oath.

Mr. RANEY.—Stated in evidence before the committee of the Legislative Assembly in December of last year.

Mr. MOSS.—I do not think Mr. Raney ought to carry that farther. He asks Mr. Malone if he knows anything about this, and Mr. Malone says 'No,' and although Mr. Malone says 'No,' Mr. Raney now tries to run in before the committee the statement of some man made somewhere else not under oath. I do not think that is a fair practice.

A. I could not answer that; I am not an expert; but if this will satisfy Mr. Raney, I am positive that the methods of conducting the race track at Fort Erie are the same as at the Woodbine or Montreal, and I have been on all the tracks.

The CHAIRMAN.—I think the committee have not been asked to accept the evidence, but I think if the committee should be asked to accept, as evidence here for what it is worth, evidence that has been given to and accepted by a committee of the United States Senate in a similar matter, it would not be unreasonable.

Mr. McCOLL.—If not taken under oath.

Mr. MOSS.—I would have certainly objected to it when the occasion arose.

The CHAIRMAN.—It has not been asked, and I suppose will not be asked. If it were asked for it would not be unreasonable.

Mr. MOSS.—Let it be tendered as evidence in that way, but do not let us have evidence brought in through the back door by a witness who does not know anything about it.

Mr. RANEY.—My learned friends are very fond of insinuations and innuendoes of all sorts, and at times they make the suggestion that I am trying to do something improper and unprofessional. These things are waste of time and do not effect me in the least.

Mr. MEREDITH.—I think you are guilty of it in the last question.

Mr. RANEY.—I am not bothering about what my learned friends think.

Mr. MONK.—We have been in the habit of accepting in Select Committees of this House evidence taken before Select Committees in other countries. We did that in the committee that considered the Co-operative Bill and in other committees. Such evidence was allowed to be produced and taken for what it was worth.

Mr. RANEY.—I desire to say before I sit down, and I want to say it in Mr. Malone's presence, that I am not abating anything in my request for the books of the association and the statements that were called for. I desire to have those statements and those books before this committee.

The CHAIRMAN.—Does Mr. Malone undertake to produce them?

Mr. RANEY.—Would you undertake to produce those books and statements Mr. Malone.

Mr. MALONE.—I will do what I can to get them for you. We have been telegraphing all over the country to try and find the secretary.

Mr. MONK.—For what books and statements are you asking?

Mr. RANEY.—The books and statements that were asked for from other clubs.

Mr. MONK.—I can quite understand the books being produced and extracts made from them for the purpose of showing what the receipts are from any particular source of bookmaking; but we cannot investigate all the affairs of a racing company. It does not come within the purview of our reference from the House.

By Mr Raney:

Q. Are the bookmakers who make books on the Fort Erie track the same bookmakers who make books on the Toronto track?—A. As I said I have not been on a race course twelve times in my whole lifetime; but if you ask me if I have seen the

1-2 GEORGE V., A. 1911

same people on the same track, I will say that I have seen the same people on the Woodbine and at Montreal as I have seen on the Fort Erie track.

Q. The same bookmakers?—A. Not always, but I have seen the same people.

Witness discharged.

Inspector WILLIAM GREER, Toronto, called, sworn and examined.

By Mr. Counsell:

Q. You have had experience of the race tracks in Ontario?—A. Yes I have been on them all with the exception of Blue Bonnets, in Montreal, I have not been down there

Q. In your opinion is there a large or small proportion of crime resultant from betting on those race tracks?—A. I would not think there was a very large amount of crime.

Q. Do you know of your own knowledge of any cases of theft, embezzlement or defalcation, where the excuse has been given that the parties gambled away their money on the race tracks?—A. Only from hearsay. I do not know of my own knowledge.

Q. You do not know of your own knowledge?—A. No.

Q. And I suppose you have come across thousands of cases of embezzlement, defalcation and offences of that kind?—A. A great number.

Q. And how long an experience have you had as a detective?—A. Thirty years.

Q. And you have come across cases of your own knowledge where the parties—have not been imprisoned, may not have come before the court, but where great hardships have resulted to, or persons close to them through their being led astray by race tracks, by gambling?—A. Some I have.

Q. How many?—A. Oh very limited, not a great many.

Q. Not a great many?—A. No.

Q. What would be the proportion of those that you know of; that have gone astray from handbooks, or gambling of that kind, not on the race tracks?—A. I look upon the handbook as the greatest evil in gambling that we have got.

Q. And if legislation were passed could that be regulated and abolished?—A. I think so.

By Mr. Stratton:

Q. You look upon that handbook as the greatest evil?—A. Yes.

By Mr. Raney:

Q. Will you be good enough to distinguish, Detective Greer, between betting by the handbook, and betting on the race book on the race track with the bookmaker?—A. One is legal and the other is not legal.

Q. Yes?—A. There is that to start off with. A hand book is set up in all corners of any city probably in the province of Ontario. It is carried on in some hotels, cigar stores, places kept for the purpose—it is done by people on the streets going to factories taking the bets during the—

Q. The noon hour?—A. The noon hour, and as I said several places are kept for that purpose.

Q. Just let me read to you a sentence from a letter written by a senator of the state of New York which came to my hand this morning—

Mr. MEREDITH.—What is the name of the senator?

Q. Senator Agnew. He says: 'I am very confidently of the belief that the pool rooms in all our large cities which do so much to lead astray the young men of our land could not do business were it not for the bookmaking at the race tracks.' What do you say as to that?—A. He is probably right because if there were no race tracks there would be no races, and if there were no races there could not be any books.

APPENDIX No. 6

Q. And if there were no bookmaking there could be no books on the race track and there could be no handbooks?—A. Oh, yes, there could.

Q. There might be handbooks but could there be handbooks so readily?—A. Yes.

Q. But there could not be hand books made so readily?—A. There could be lots of them.

Q. Is it not so that the handbook is a mere accessory, or a branch, or tentacle if you like, of gambling on the race track?—A. You must have a race certainly before you can have a handbook, but all the handbooks are betting on foreign races, there are none on local races. For instance, take the races in the city of Toronto, I do not think there is any betting done up town while the races are in progress, only what is done on the race track. At least there has not come under my notice any betting done up town at that time, because they close down those places up town during the race meeting.

Q. Is it not so that the handbook man does his business on the odds telegraphed from the track?—A. Yes, that is so.

Q. And he gets those odds, which are the odds made by the bookmakers on those tracks?

Mr. McCOLL.—Made by the public.

By Mr. Raney:

Q. No, these odds are the odds made by the bookmakers on those tracks?—A. You are right, that is if there are bookmakers.

Q. So that if there are no book makers on the race track doing business there would be no odds made on the race tracks?—A. Oh yes, there would.

Mr. MEREDITH.—I think the witness should be allowed to answer the questions without interruption. Mr. Raney does not give him the opportunity.

The CHAIRMAN.—I think you had better let Mr. Raney finish his examination.

Mr. MEREDITH.—Mr. Raney should allow the witness to answer the questions, he is not allowed to do so; I submit the witness must be allowed to answer the questions fully.—A. The question Mr. Raney asked me was, I think, that if there were no bookmakers on the race track there would be no odds made, but I think if there is betting allowed at all on the race track there would be odds; supposing you take the Pari Mutuel, the public then would make the odds.

By Mr. Raney:

Q. Would they now?—A. Yes.

Q. Would there be odds made for telegraphing abroad?—A. I think so, they would be telegraphed; they would know exactly what money was put up on a certain horse.

Q. Well, we will put it that way then: there would, however, have to be the Pari Mutuel or the bookmaker on the race track in order that the odds might be telegraphed?—A. You are right there.

Q. If there is no book making on the race track there could be no telegraphic report or odds, and there could be no handbook maker?—A. I do not look upon this Pari Mutuel as a bookmaker.

Q. I do not care whether it is a bookmaker or not.—A. But if you include that no hand books can exist.

Q. That is what I unedrstand, so that what Senator Agnew says is quite right:

‘I am very confidently of the belief that the pool-rooms in all our large cities—which do so much to lead astray the young men of our land—could not do business if it were not for the bookmaking at the race tracks.’

Q. So that you come back to what you said before?—A. I do not, I eliminate that. I said if you cut out the book making, eliminate all betting from the race course, then you would be right, but you are not doing it.

Q. You do not mean to tell me, Mr. Greer, that if you and I are on the race track, and you and I make a bet, that whatever odds we make between one another

would be construed as the odds on that race and would be telegraphed to another race track?—A. No, I do not.

Mr. MCCARTHY.—They are telegraphed from the race tracks in the United States to-day.

Mr. RANEY.—Another interruption!

The CHAIRMAN.—I think counsel should not interrupt Mr. Raney.

By Mr. Raney:

Q. I wanted to be quite sure whether you differed from Senator Agnew, or agreed with him. You recognize pool selling in pool rooms has been utterly pernicious?—A. Yes.

Q. And you recognize the handbook as being utterly pernicious?—A. Yes.

Q. And the tipster and tout are utterly pernicious?—A. I think if you cut out the handbooks, the tipsters, the tout, the advertising in the newspapers, the selling of tips and prohibit foreign associations coming into this country you would have it pretty nearly perfect.

Q. You would not cut out book making on the race track?—A. Book making? I would not if it is done in a decent way.

Q. As it is now it is wholly objectionable?—A. Yes, I think so as it is now.

Q. Then I think you are not very far off from the view of Senator Agnew?—

A. I think the only way you can stop hand booking is to pass a law making it punishable by imprisonment.

Q. Without the option of a fine?—A. With or without the option of a fine.

Q. I understood that was your view?—A. It is no use fining those fellows at all.

Mr. MONK.—Does Senator Agnew start from the principle that it is bookmaking makes the odds on the race track? We have had evidence to the contrary; I understand that the odds are not made only by the bookmaker, but that the public makes the odds on the race track. What I understand is that the bookmaker establishes certain odds but he is guided in that by public opinion as shown by the betting.

Mr. MCCOLL.—He puts up his odds and the public determines what the odds are by taking or rejecting those offered by the bookmaker.

By Mr. Raney:

Q. The bookmaker puts up his slate showing the odds he proposes?—A. Yes.

Q. If somebody, a bettor or a backer, say for instance, comes to the bookmaker and says I will take 'Minnie M. for \$500'?—A. Yes.

Q. And that is a larger bet than the bookmaker cares to carry at the odds he has posted or if he does not care to take any more bets at Minnie M. on those odds he will reduce his odds?—A. He might and he might not reduce his odds.

Q. Another way would be to insure himself?—A. The bookmaker himself makes the odds and the public does the betting, and if there is a larger amount that he probably thinks he can stand on that horse he may reduce the odds; I have seen a horse open at 60 to 1, and backed down to 8 to 1 and 4 to 1.

Q. That is to say that bookmaking is done upon a mathematical calculation and the bookmaker may modify his odds from time to time?—A. According to the betting.

Q. As the betting proceeds, depending upon the way the bets come in and the horses selected, and also depending upon what the other bookmakers are doing?—A. And it will depend a good deal on who is betting.

Q. But the bookmaker always makes the odds?

Mr. MCCOLL.—No, he proposes them and the public makes them. As soon as the race is over, I have seen it, I have been in the United States and in Canada on the race tracks and the moment one race is over the bookmaker starts to make his book on the next race, and he marks up the odds offered on each horse, that is done by the bookmaker.

APPENDIX No. 6

By Mr. Raney:

Q. You have been on all these tracks, the Woodbine, Fort Erie, Hamilton, and Windsor?—A. Yes.

Q. You have been on them all?—A. Yes.

Q. Do you distinguish between them?—A. When I say I have been at them all, since the new management has been in control at Fort Erie I have not been at it as much as I was before.

Q. But you know them all pretty well?—A. I know them all.

Q. Do you distinguish between them?—A. Oh, I think Toronto and Hamilton are carried on in a superior manner to what they are at Windsor and Fort Erie.

Q. In what respect?—A. As to the way of betting, and the touts and objectionable people on the track.

Q. There are more of those at Fort Erie and Windsor?—A. No doubt about that at all.

Q. You have no doubt about that?—A. No.

Q. But the same horses and the same bookmakers go around to them all?—A. No, a very few bookmakers that live in the city of Toronto go over to Fort Erie.

Q. Have you ever heard of the demoralization of the police that were sent to do duty on any of those race tracks? Have you ever heard anything about the condition of things in the city of Toronto a couple of years ago by reason of the men being sent there and being paid by the association?—A. The police were sent there, men who were on their holidays, and they were paid by the association.

Q. Did you hear anything about their demoralization by being down there and betting?—A. I do not think it is demoralization if a man wants to bet.

Q. You see no impropriety on the part of any officer on duty in betting?—A. I would not think so, if it were legal.

Q. You knew that was done by the Toronto police who were sent to the Woodbine?—A. I knew that some of them bet, yes.

Q. I am told they were frequently seen in the betting ring handing up their money?—A. I have bet on the Toronto tracks and other tracks.

Q. I did not make it a personal question?—A. I do not care who knows it. I did it for the purpose of learning how the betting went.

By Mr. Stratton:

Q. Did you win?—A. I have won and lost

By Mr. Raney:

Q. It has been said that boys are barred from the Woodbine altogether; do you know whether that is also done in the case of the other tracks?—A. There are very few boys who attend the other tracks that I know of.

Q. Do you know what the age limit is?—A. No, I do not think there is any age limit.

Q. The class of work you do, would not bring you very much in touch with the class of cases that Inspector Duncan spoke about in his evidence; I suppose you saw it?—A. I did not read it.

Q. You know what he spoke about, cases of young men being brought into the Toronto police court for defalcation, &c.; those cases would not come ordinarily under your observation?—A. Not if it were in the city of Toronto.

Q. Your duties rather have to do with extraordinary crimes?—A. More so outside of the cities.

Q. Extradition cases and things of that kind?—A. Outside of the cities; we do not look after anything very much in the cities.

Q. Your department regards the cities as competent to look after themselves?—A. Yes.

By Mr. Moss:

Q. What do you mean, Detective Greer, by saying that book-making as it is now carried on is not satisfactory; do you mean where the bookmakers have to move around instead of having their stands?—A. Yes, if betting is at all to be allowed on the race track, if it were the most convenient for the public better, I do not think there would be the amount of crime going on on the race tracks that there is to-day. I mean that it is utterly impossible now in the city of Toronto with the crowds that go to the races and the jam that there is at that place, to pick up a pick-pocket; it is hard for the police to watch them, that is what I mean.

Q. That is under the change that has taken place within the last two or three years?—A. Yes.

Q. After the bookmakers were kicked out of their booths and obliged to wander around the betting ring?—A. Yes, I think it was a bad move for the public—

Q. Do you think, as an experienced administrator of the law, there is a public sentiment that would stand behind an attempt to abolish betting altogether in the country, to make it criminal to bet at all?—A. That is a pretty hard question to answer. I think that if you were to eliminate what I spoke about it would satisfy the people of the country pretty well.

Q. I beg your pardon, I did not catch your answer?—A. I think if those things were eliminated that I spoke of it would pretty well satisfy the most of people.

Q. That is if you eliminate the hand-book man who bets on the foreign races?—A. Yes.

Q. And the poolroom man, who bets on the foreign races also, and the tipster and the tout, as they call them—who are cheats—and the advertising of fake pointers on the races?—A. Yes.

Q. And to leave people to go and bet in an ordinary way on the race course with bookmakers under better control, that is about as good a condition as you can get?—A. I do not think there would be as much trouble as there is now, I do not think there would.

Q. Speaking as a man, dealing not with angels but with men as we find them, do you think we could get any better condition than that?—A. I don't think so, I would go a little further; I would like to stop street-corner men betting.

Q. We include those with the hand-book men?—A. Well, you cannot—

By Mr. McColl:

Q. I think I have a suggestion that will stop that. I want to ask you a question or two about this handbook business. I take up to-day's *Toronto Globe*, and under the heading of 'The Turf' I find a despatch dated January 31, Jacksonville, purporting to give the results of the races that took place there yesterday?—A. Yes.

Q. Then below the entries for to-morrow, here are the entries for to-day?—A. Yes.

Q. Now, as I understand, the practice is that in the case of these race tracks, the entries for, say, to-morrow, the following day, are published about four or five o'clock of the day before?—A. Yes.

Q. Then that entry list at Jacksonville yesterday at four o'clock in the afternoon could be telegraphed to Toronto?—A. Yes.

Q. And the handbook operators would have access to that information if it were telegraphed to those that were running handbooks in Toronto?—A. Yes.

Q. That is, that yesterday afternoon, probably about four or five o'clock, all these handbook operators—and we have heard that there are some four or five hundred in Toronto—might have that information the same as the *Globe* and other newspapers?—A. Yes.

Q. As soon as they get that information—mind you the race not taking place until to-day—the handbook man could get to work, they could commence to bet last night because they have the entries?—A. They could not very well get to work. That

APPENDIX No. 6

might not be the horses that would run, because a number of them may be scratched and not run.

Q. How could the handbook men operate if they have to wait until the race is actually run?—A. They do not wait until the race is actually in progress.

Q. No?—A. No, they do not.

Q. That is what I say; last night the handbook men would be operating upon this information, which I see in the *Globe* to-day?—A. Certainly, that would be done.

Q. That is what I am coming at, that could be done?—A. Yes.

Q. Whether there was a bookmaker on the track to-day or not, when the race was going on, these handbook men could be operating in Toronto last night or to-day?—A. Yes, they could.

Mr. McCOLL.—Mr. Raney was trying to make it appear—as I understood him—that it would be impossible for handbook men to operate unless there were bookmakers on the race track. Is not that what you are trying to show?

Mr. RANEY.—It was.

Mr. McCOLL.—You were trying to make it appear that it was impossible for handbook men to operate unless there were bookmakers on the race track.

Mr. RANEY.—I would not put it so strong as impossible, I would say practically impossible.

By Mr. McColl:

Q. Then I am coming to this. I do not know, Mr. Raney, whether you have been following this evidence. This witness says that with entries made yesterday afternoon at Jacksonville and communicated by telegraph to Toronto or any other city, the handbook men would commence to make their bets?—A. Yes, quite right.

Q. Now supposing some restriction could be put upon our telegraph and telephone companies to prohibit that information to be given.—A. That is just what I say; if you could prohibit this, and prohibit what we call, giving the results of the races. You see the handbook men here pay when they get the odds on foreign race meets in the New York or Chicago racing form races.

By Mr. Raney:

Q. After they get the odds?—A. After they get the odds.

Q. They do not get the odds when they make the bet?—A. They do not get the odds when they make the bet.

Q. Not until to-day, for instance.—A. They give the closing odds, that is if a horse opens ten to one; if your money was up in Toronto before the race started and a horse opened at ten to one and was bet down to two to one you would get the closing odds.

Q. The closing odds. Yes, then if means were taken to prevent any information from Jacksonville being brought to Toronto that would be the best means of disposing of the handbook men?—A. That would be one of the best means.

Q. Now then, I will refer in my questions to the Woodbine, that is the only track I have ever visited. Now, in the first place as to who makes the odds, the opening and closing odds, I am speaking of what I have seen there, and my understanding of it is that the bookmaker in the first instance proposes the odds?—A. That is right.

Q. He makes his slate?—A. He makes his slate.

Q. And probably inside of two minutes the slate may be altogether changed?—A. That is right.

Q. Now then, what changes the slate? It is the public, because the bookmaker may make one horse a favourite, and if the public takes up another one, and the money comes in on that other one he will change his odds.—A. That is done very frequently, but it is not always the case that he will change the odds even if the money is coming in on another horse, because he may have some information from a private individual or from a horse owner which may or may not make him change the odds irrespective of the betting by the public.

1-2 GEORGE V., A. 1911

Q. He may do the same as the public in betting, because most of those who bet are governed by private information that they get from horse-owners or from friends and the bookmaker in the same way may get his information and may change it accordingly; the odds are not made arbitrarily by the bookmaker, but as a general thing you hear that expression, 'the public choice,' and if there is a public choice that determines the odds very largely against that horse?—A. That is right, it does very largely.

Q. So that I am correct in saying that in a race track, of course I can understand where there is a track governed by gamblers and where there is a conspiracy between owners and all concerned to pluck the public it is different, but where there is a well-conducted race course like the Woodbine, the general rule is that the public make the odds?—A. That is the general rule, yes.

Q. Now then, from what I have seen at the Woodbine, I have got this idea from observation that the majority of the people, the vast majority of the people who go to that track, go there for the sport and that the betting in which they indulge is a secondary consideration, or an incident to the sport?—A. Yes.

Q. That is right. For instance, take it from my own town, probably half a dozen will go up one day during the meet, and only one day; they will bet on half a dozen races that take place there and they come home again; they know the result in two minutes after the money is bet, and that is the end of it and then they go home and do not go to another race meet during the year. Now, is that, in your opinion about the condition of the large majority of the people who go to the Woodbine, they go to the Woodbine, they have their day's sport, and when it is over they go home and that is the end of their betting for the rest of the year.—A. I have no doubt there are a great number do that, that is they are from outside of Toronto; I think probably it would be the case with a very large majority of those who come from outside the city.

Q. For the large majority you think there is no doubt it will be correct, that is those who happen to come from outside Toronto, they come in for only one or two days for a little outing, but it may be different with regard to the citizens of Toronto?—A. Yes.

Q. Then it brings it down to this, that so far as the public outside the city of Toronto are concerned there would be practically no evil of any kind resulting to that class of people, those who went there for the sport and who bet \$4.00 or \$5.00 or \$6.00?—A. There would not be to those who would only bet \$4.00 or \$5.00 or \$6.00 or something of that kind, of their own money, but if a man takes other people's money and bets it then it is wrong, it is an evil.

Q. But those who come into the country from outside the city of Toronto who bet with other people's money are very very few? I ask you if you can recall one case of a person that came in from outside that way and bet with other people's money?—A. No, I cannot recall any of that class.

Q. So that so far as any evils that may exist at the race tracks are concerned it would be largely among the people in the particular city where the race track was located?—A. I should think so.

By Mr. Raney:

Q. Did you ever hear of a case that a man who bet with a handbook man had not first learned to bet on the race track?—A. Yes, I know people that bet with the handbooks that never go near a race track.

Q. You say they never were at a race track?—A. So they tell me, that they never were at a race track.

Q. I am told that it is practically unknown that anybody should bet in the handbook who has not first acquired the habit of betting by frequenting one of the race courses.—A. I do not think that is so, because I can tell you of people in the city of Toronto that I have known of who bet in the handbook and I have never seen them on a race track, and in fact some of them have told me they never visited the race track.

APPENDIX No. 6

By Mr. McCarthy:

Q. I rather judge from the tenor of Mr. Rancy's question that he intended to create the impression that you hadn't much experience in connection with betting. I want to ask you, who planned the coup that did away with most of the pool rooms in Ontario?—A. I did.

Q. Who planned the coup that did away with most of the handbooks?—A. I did.

By the Chairman:

Q. Who has the larger experience as to racetrack gambling, or the results of it, yourself or Inspector Archibald?—A. I do not think Inspector Archibald has any because I do not think he ever goes to the race meetings; I do not think he has been there a dozen times at the race meetings in the city of Toronto.

Q. I do not mean detective experience acquired on the track, but Inspector Archibald and Detective Duncan gave us a great many instances that had come to their knowledge through the courts through dealing with the people of that class?—A. Mr. Chairman, the people that I mentioned as having fallen through the races, as I read from their evidence, it was the pickpockets and the undesirable people that they picked up, that came through their hands.

Q. They mentioned the names of nine or ten or eleven or twelve persons who explained the beginning of their downfall was betting on the horse races. Inspector Archibald on being questioned said that the patrons of the hand book men uptown bet with the bookmakers on the race track first and as far as his experience would lead him to know and believe the majority, the greater part of the evil, came not from the handbook men but from betting with the bookmaker on the race track. Would you agree with him?—A. I would not, because I think I know more about the handbook than ever Archibald knew or will know. I have had more to do with them, and had more connection with the handbooks and the prosecution of them than ever Inspector Archibald did.

By Hon. Mr. Stratton:

Q. Mr. Archibald did not have much to say in regard to the handbooks, what he had to say was that the difficulties that arose and the troubles that came to his notice arose through betting with the bookmakers at the races and the difficulty that arose there extended into the homes and the families.—A. More of the evil was the result of the handbooks in the city of Toronto.

Q. Some say it is in the city of Toronto?—A. It would not be my experience because during my raids, and after I had pulled all these places in the city of Toronto, even the people that I had got in the handbooks or the pool room, they were very glad it was raided. I have had families—wives come to me and give me information where there were handbooks running in the city of Toronto, and they wanted it broken up on account of their husbands being there and spending all their money and their families in want; not in one case but I dare say a hundred cases pretty near.

Q. He gave instances where men went to the race track, bet their money and lost it, got drunk and went home and beat their wives and created trouble, and that they went to the inspectors.—A. There might be some cases of that, I do not dispute him in that. I think any officer will tell you, I don't think you will find an officer in the province of Ontario that has any connection with the race course but will admit that there is more evil in the handbooks in the towns and cities than there is on the race course.

By the Chairman:

Q. That is what Inspector Archibald did say.—A. It has been my experience and I have made inquiries from officers all over the province of Ontario, that is where there are races held.

By Mr. McColl:

Q. That there was more evil resulting from handbooks?—A. Yes

1-2 GEORGE V., A. 1911

Mr. McCOLL.—Did you say, Mr. Miller, you understood Inspector Archibald to state that there were more evils resulting from attendance at the race tracks than from handbooks?

Mr. MEREDITH.—He said the handbooks were very much worse.

Mr. RANEY.—What he said was this: That taking the time during which the race meeting was on, the evil was much greater from the race track; but taking the year as a whole, having regard to the more extended time covered by the handbook business the volume of evil was greater.

Mr. McCOLL.—And I think he said there was actually more money changed hands in a week on the race track than there would be coming through handbooks in the city, but there would probably not be as many individual betters.

Mr. RANEY.—That is right.

Mr. McCOLL.—That is quite true. These poorer people who use the handbooks bet a dollar, and fifty cents.

By the Chairman:

Q. If this proposed law would simply go far enough to do away with the handbooks, the pool room, and the tents that you have spoken of, you would consider it to be an improvement. Now if the law would go still further and prohibit bookmaking on the track as well, would that not be still better?—A. And allowing the individual betting?

Q. And allowing the individual betting, yes.—A. That would be pretty hard to say because individual betting might spread to a considerable extent.

Q. Have you any reason to believe that it would spread to such an extent?—A. I have had no experience of it because we have not any, but I would be doubtful.

By Mr. Monk:

Q. I understood you to say that the despatches that I find on page ten of the 'Globe' to-day from Jacksonville giving the odds on the races, are calculated to encourage handbooks and poolrooms.—A. Yes. I know people that have gone down to the Woodbine races in the city of Toronto not intending to make a bet. Some of them would take their selections from the 'Mail,' 'World,' or some other paper, or probably some of the tipsters they got it from on the street—Jacksons and some of those—and reading it over came to the conclusion that they would make a bet.

Q. It encourages them?—A. Yes, encourages them.

Q. You would not say that encouragement is perhaps nullified by the article which I find on page six of the same paper protesting against betting on horse races?—A. I do not know what that article is.

Mr. MONK.—It is a little contradictory.

By Mr. McCarthy:

Q. Have you been on the New York tracks since the Hughes law has been in force?—A. For a very short time.

Q. Have you had any experience as to the handbooks and betting in New York State since the Hughes law was put in force?—A. I know they do bet.

Q. Well, there are supposed to be no bookmakers, but odds are made somehow for the handbooks?—A. Yes, they are.

Q. Mr. Raney suggested you could not get odds unless you had public bookmakers.

Mr. RANEY.—Pardon me.

Mr. MCCARTHY.—Unless you had bookmakers on the race track.

Mr. RANEY.—What I was going to say was I quite understood the odds that were being published were not from the New York track, but from Jacksonville.

Mr. MCCARTHY.—And Mr. Greer says the handbooks in Toronto have bet on New York races since the Hughes law was passed. Then I want to know, Inspector Greer, how they get their information about the New York races?

APPENDIX No. 6

The WITNESS.—You get them in the New York sheets.

By Mr. McCarthy:

Q. You get the information in the newspapers?—A. Yes. What I was going to say about the Vagrant Act, it appears to me the only way you could stop the street betting would be to amend that Act. It goes pretty far now, in that a man who makes his living by gaming is a vagrant, but that does not go far enough. The word 'gambling' should be added to there—gaming and gambling—a man who makes his living by gaming and gambling.

By Mr. Raney:

Q. Betting you mean?—A. Yes, gaming and betting, that is what I mean.

Witness discharged.

Mr. JOHN W. BLEAKLEY called, sworn and examined:

By Mr. Counsell:

Q. How long have you been in the Hamilton police courts?—A. Twenty-seven years.

Q. And detective for how long?—A. Fourteen.

Q. Do you know the Hamilton race course?—A. I do.

Q. Have you been on duty there for a number of years?—A. Since it opened.

Q. And with regard to the results you see flowing from the holding of races in Hamilton, are there any crimes therefrom?—A. No, sir.

Q. Have you searched the records of the Hamilton police court to ascertain whether there are any crimes that have been committed on the race track, or by reason of betting on the race track?—A. I did.

Q. And did you find any cases?—A. I found one in 1906.

Q. Have you got any memorandum there?—A. Yes, sir. (Producing memorandum.) Reads: 'October 4th, 1906, Joseph Myers, theft, committed for trial. Admitted to bail and absconded. October 7th, 1909, warrant issued for one Frank Fenton, who stole \$1,250 at the Hamilton Jockey Club race track.'

Q. Have you discussed with the other detectives of the department the question of crimes resulting from betting on the race tracks?—A. Yes.

Q. Have you recalled any other case of hardship, or case in which people have come and complained about losses?—A. Not one.

Q. Then, do you know anything about handbooks?—A. Well, we have only racing on the track for, I think it is, eleven days in June and around the first week of July, then it is over with; then there is no more trouble about that, of course; but the handbook is going on.

Q. And in regard to handbooks, who are the people that engage in betting in the handbooks?—A. Well, it is generally the young men, who bet small amounts.

Q. Are they the same people that go to the races?—A. No, sir; some of them might have gone, but not to bet.

Q. The majority of the people who bet on the handbooks, do you see them at the race tracks?—A. Very seldom.

Q. It has been suggested here that you could not bet on the handbooks unless you had previously learned to bet at the race track; what have you to say to that?—A. I say it is not so.

Q. And is it your experience that people bet on handbooks more than they do at the races?—A. Well, take the whole year round they do, they might not do so during the week in which the races are in progress.

Q. And have there been evils resulting from betting in the books on the races?

1-2 GEORGE V., A. 1911

Have there been many cases?—A. There have been four or five in the last year or two.

Q. In your opinion, Detective Bleakley, is there any strong public opinion for the abolition of bookmaking on the Hamilton race track?—A. I have never heard a sound of it.

Q. That is in Hamilton?—A. No, sir; I think they are always looking forward to the horses coming in June for an outing, that is the great number of people.

Q. Then with regard to the New York races that were carried on last year without bookmakers, were there any results of those races, were the odds on those races published in Hamilton?—A. The odds were published in the Toronto papers just the same as when the bookmakers were allowed to run.

Q. The odds were published the same as when the bookmakers were allowed to run?—A. Yes.

Q. So that the elimination of the bookmaker would not necessarily stop the posting of odds?—A. Not at all.

Q. It would not?—A. No sir.

By Mr Raney:

Q. You follow the publication of the racing news very closely?—A. Very closely.

Q. Do you bet yourself?—A. I have bet, yes.

Q. Do you bet with the handbook men?—A. No.

Q. You bet on the race track?—A. I do, yes.

Q. Bet with the bookmakers?—A. Yes.

Q. You were there on the race track on duty?—A. Yes.

Q. Do you bet with the bookmakers while on duty?—A. I do.

Q. What is your office?—A. Detective.

Q. Are you the chief detective?—A. No.

Q. You are just a detective?—A. Yes.

Q. Who is the chief detective?—A. B. MacMahon.

Q. Does he know that you bet on the horses?—A. I do not know.

Q. Do all the officers who are on duty there bet on the horses?—A. I could not tell you.

Q. Don't you know whether they do or not?—A. I could not tell you.

Question objected to by Mr. Counsell.

Q. I have a bet, I think, every day I go down, probably one.

Q. Are you a plunger?—A. No I do not go down very heavy.

Q. What is your limit?—A. I could not tell you that, I haven't a limit.

Q. How many detectives are detailed for that duty?—A. Just two from the city, along with the Pinkerton detectives.

Q. Are you paid by the association?—A. We are.

Q. And you are also paid by the city?—A. Yes.

Q. Do you know whether advanced information is telegraphed from the Hamilton track to the American pool rooms?—A. I do not.

Q. Is there a ticker on the Hamilton track?—A. Yes.

Q. Do you know what it is there for?—A. I do not know.

Q. Is it there for sending out the odds?—A. I do not know about that.

Q. You never investigated that?—A. No.

Q. Is that not part of your duty?—A. I do not know anything about it.

Q. Do you see anything at all to condemn in the business of bookmaking?—A. It is legal, I have no complaint to make.

Q. I did not ask you that? Do you see anything at all to condemn?—A. I do not.

Q. Do you see anything to commend?—A. I do not, know whether it is to be commended or not; it is legal, it is there, it is allowed to go on and I have no complaints to make.

APPENDIX No. 6

Q. And you see nothing but good in it?—A. I did not say that.

Q. I thought you did. Did you see anything but good in it?—A. I do not see any harm in it.

Q. You do not see any harm in it, it is altogether good?—A. I bet anyway.

By Mr. Moss:

Q. Do you in your experience as a public officer think it would be practicable—

By Mr. Raney:

Q. Do the bookmakers at Hamilton occupy booths?—A. They do not, they would do much better if they did.

Q. What do they do?—A. They keep moving around.

By Mr. Moss:

Q. Do you, in your experience as a police officer, think it would be practicable first of all in the present state of public sentiment and public practice to abolish betting altogether and to make betting a crime, that is betting of any kind?—A. I do not think so.

Q. Do you think it would be practicable to make betting on the race course of all kinds, any kind of betting a crime?—A. Oh, if that is done that will be all right, if that is done on all tracks that will be all right.

Q. Do you think it is practicable to enforce it?—A. I do not think so.

Q. You think it is not practicable to enforce that?

Mr. BLAIN.—Why not.

By Mr. Moss:

Q. Why do you think it is not practicable?—A. Well, the majority of people are with it, as far as I see so that it will take an awful lot of officers to prevent them betting.

Q. It will take an awful lot of detectives, even if the detectives should never let themselves, and that is not possible if the majority of people are in favour of it. As a police officer do you think it is practicable to distinguish between what we may call amateur betting and professional betting on the race course?—A. Well, probably if I followed the race courses all around, and followed the professionals around, I might be able to distinguish them, but I could not really do that.

Q. But take your race course, for instance, is there any way by which to distinguish the ordinary citizen visiting there from the professional?—A. If I knew a professional bettor personally and saw him on the track I would know him.

Q. That is if you knew his life history?—A. Yes.

Q. But failing that there is no other way of distinguishing between people?—A. No.

Q. Do you think it is practicable to pass legislation making it criminal to bet as a professional and making it legal to bet as an amateur?—A. I do not see how it could be.

Q. As a police office you do not see how it would be possible to enforce that?—A. I do not think so.

Q. Do you think the law would be in a more satisfactory condition if we were able legally to revert to the practice which obtained a few years ago, of having the bookmakers occupy a booth and be stationary, and the public come into them when they wanted to bet, rather than having them move about as they do now?—A. I think it would be much better.

Q. It would be much more orderly?—A. Yes.

Witness retired.

Inspector GREER recalled.

By Mr. Ames:

Q. Do you know what the bookmakers at Fort Erie pay for their privilege?—
A. Only from what some of the bookmakers themselves have told me.

Q. What did they tell you?—A. They have told me they were paying \$100 a day for six races, and that if there were seven races it would cost \$125.

Q. To whom do they pay that money?—A. To the Association.

Q. Do you know what the average number of bookmakers is at the Fort Erie track?—A. I would not like to say, there are quite a few.

Q. Are there 15 or 20?—A. I think so.

By Mr. McCarthy:

Q. Was that for last year, or the year before, or when?—A. Last year.

Witness discharged.

Committee adjourned.

COMMITTEE ROOM No. 32,
HOUSE OF COMMONS,
WEDNESDAY, February 2, 1910.

The committee resumed at eleven a.m., the Chairman, Mr. Miller, presiding.

The CHAIRMAN.—I have a letter, received this morning, from Mr. John W. Brant, Secretary of the Canadian Standard Bred Horse Society, enclosing a resolution passed at the annual meeting of that society, as follows:

Feb. 1, 1910.

The members of the Canadian Standard Bred Horse Society holding their annual meeting this 1st day of February in Toronto, do hereby request that the committee appointed by Parliament to report on Bill No. 6, introduced by Mr. H. H. Miller, of South Grey, seriously hesitate before recommending Parliament to adopt this Bill, which, should it become law, they feel will greatly injure The Standard Bred and Light Harness Horse industry which is becoming of greater importance to Canada."

Mr. RANEY.—Then I think there is a statement due from Mr. Counsell as to the books and statements that were asked for from the Windsor Association.

Mr. COUNSELL.—The only statement I have to make is contained in the telegram that I received last night from Windsor, it is to the following effect:

Chief Wills sick, magistrate Leggatt left last night, bookkeeper for Windsor Racing Association died recently. his successor ill with typhoid fever. Knows nothing regarding the books. Geo. M. Hendrie in the south, ordered there by his physician present address unknown.

E. J. BAXTER.

That is precisely what I stated at the beginning of the inquiry. Since that time we have been endeavouring to get hold of the books, and as I stated here from my information at that time, the bookkeeper had died last fall and the new man was in bed with typhoid fever, and had never taken them over.

Mr. RANEY.—Where are they?

Mr. COUNSELL.—I could not say.

Mr. RANEY.—Is it the intention of Mr. Counsell to call any witnesses representing the Windsor Association?

APPENDIX No. 6

Mr. COUNSELL.—No, it is not.

Mr. RANEY.—Is there any incorporated company?

Mr. COUNSELL.—I could not answer that, I think there must be an incorporated company.

Mr. RANEY.—Do you know any of the directors, and who they are?

Mr. COUNSELL.—I cannot answer that.

Mr. RANEY.—Who are the shareholders?

Mr. COUNSELL.—I cannot answer that.

Mr. RANEY.—Of course you do not know what the capital stock is or whether it is paid up?

Mr. COUNSELL.—No.

Mr. RANEY.—Or where their head office is?

Mr. COUNSELL.—No.

Mr. RANEY.—Or where the books are?

Mr. COUNSELL.—I could not say that.

The CHAIRMAN.—It is a case of one being in bed and the other away sick.

Mr. COUNSELL.—Well, there is no doubt about the death of the bookkeeper, and Mr. Hendrie is sick and the new bookkeeper is ill with typhoid fever.

The CHAIRMAN.—That seems to be an awful unhealthy association.

Mr. RANEY.—This and the Fort Erie Association are both unhealthy.

Mr. COUNSELL.—I cannot see why it should be necessary to bring the Fort Erie Association into question in this matter, there is no question about it that the Association get a revenue from the bookmakers the same as the Hamilton and Toronto Associations.

Mr. RANEY.—I would like to know whether they earned \$71,000 a year and distributed it among the shareholders.

Mr. COUNSELL.—They did not distribute it, but I am willing for the sake of argument to admit that.

Mr. BLAIN.—It would not make a particle of difference to this committee.

Mr. RANEY.—I could see that it would make a vast difference.

Mr. RANEY.—Well then, there was another statement due from Mr. Counsell as to whether or not the Hamilton Jockey Club sells advance information to the pool rooms?

Mr. COUNSELL.—I can say that they do not, they sell all their privileges to Smith & Perry.

Mr. RANEY.—And do those privileges include advance information to the American pool rooms?

Mr. COUNSELL.—I do not know what Mr. Raney means by that.

Mr. RANEY.—Does it include the sale of advance information to the Inter-State News Company?

Mr. COUNSELL.—I know this that the people who get these privileges have the privilege of putting a telegraph wire into the track; what use they make of that I do not know. It may be that this information is telegraphed from the track but I could not say.

Mr. RANEY.—And that privilege is covered by the \$74,000 which Smith & Perry paid to the Hamilton Jockey Club last year for that privilege?

Mr. COUNSELL.—I am not sure those figures are correct.

Mr. RANEY.—Whatever they paid covered that privilege?

Mr. COUNSELL.—Yes, it does.

Mr. RANEY.—Is it the intention of Mr. Counsell to call any member of the Hamilton Jockey Club?

Mr. COUNSELL.—If the committee will listen to them I intended to call Mr. Samuel Barker, a member of this House, and probably Senator Gibson.

Mr. Elmor R. CARRINGTON, called and sworn.

By Mr. Meredith:

Q. Mr. Carrington, would you tell the committee what your position is your occupation?—A. I am general manager of the Canadian division of the Thiel Detective Service company for Canada.

Q. And your office is where?—A. The head office is in Montreal.

Q. Have you offices elsewhere in Canada?—A. We also have offices in Toronto, Winnipeg and Vancouver.

Q. And are you connected with the Thiel Detective Agency of the United States?—A. It is a subsidiary company of that company.

Q. And have they offices throughout many states in the United States and also in South America?—A. They have 18 offices, including Mexico, and regular representatives in Europe.

Q. And for yourself, how long have you been in the secret service?—A. For 20 years.

Q. Have you had any occasion to visit the different tracks in Canada, the United States, and in Europe and South America—race tracks.—A. I have visited the principal tracks in the United States, France, England, Mexico, Canada.

Q. Professionally and otherwise?—A. Professionally and socially.

Q. And does your head office at Montreal, and your other offices throughout Canada, act for a number of the principal companies, and what particular companies do you act for? You act for the Dominion government do you?—A. I have acted for the Dominion government.

Q. And for the provincial governments?—A. For the provincial governments of Quebec, Ontario, Manitoba, British Columbia and all the transportation companies in Canada both steam and water.

Q. Have you had considerable business to do in Toronto?—A. We have an office there that does an extensive business throughout the province.

Q. Have you had anything to do, have you been employed to do anything with regard to the pool rooms and the hand-book men in the city of Toronto?—A. We have.

Q. By whom were you employed? Or do you not want to mention the name?—A. I do not think we are at liberty to do so, but we have been employed to do considerable work in connection with the question of hand-books and pool rooms.

Q. Have you had occasion to visit the tracks in New York State prior to and after the passing of the Hughes' law?—A. Yes, I have visited New York on an average of twice a month throughout the year, and if there are races on at the time I usually attend. During every meet I usually do that, I attend a meet during one day.

Q. Now what has been the effect of the Hughes' law in so far as the race tracks in the United States are concerned?—A. My observation has been that it has decreased it by probably three-fourths, probably 80 per cent, that is as to the number of attendants.

Q. Now, as to the quality of the people, the kind of people that attend, what do you think have you noticed any difference in them?—A. There is a far inferior class attending the meetings now compared with those who attended before when the attendance was much larger that also applies to the class of racing, the form of racing and the horses are of an inferior class.

Q. And how about the purses?—A. The purses are much smaller.

Q. Now as to the effect that the Hughes law has had on the betting on those courses, could you give the committee some idea as to that, does it go on or has it ceased?—A. There is betting, but it is in my judgment of a very unsatisfactory kind.

Q. Is it in a better or worse form?—A. It is far worse in my judgment than the former practice of betting.

Q. Would you tell the committee in what respect you consider it worse?—A. Well, on the track as between the class of betting now, the custom now, and what it was before when they had the bookmaking there is no comparison. But when the beckon-

APPENDIX No. 6

ing or the nod which you give now in betting there is this that it is difficult to determine who you are betting with, and my judgment and my opinion is that it is a bad form of betting; and the people whom I have met on the tracks are of the same opinion. But there is just as much betting among the people there now, compared to the number attending as there was before. The people go there for the purpose of seeing the racing and betting.

Q. What effect has it had on the handbooks outside the race tracks, and the pool rooms?—A. It has increased the number very much, in fact prior to the passing of the Hughes law bookmaking was very little known so far as New York was concerned because there were opportunities of betting on the track, while now, where there is a meeting on under the Hughes' law at any hotel in the city of New York there are some people about the hotel who know where to find the handbook men, the cigar store or the boot black stand, something of that kind, there they take bets and they have the form sheet.

Q. Now are you conversant with the different forms of betting through the handbook and by the bookmaker?—A. Only in a general way. With regard to the handbook men any man that has experience enough in racing affairs to really do handbooking has sufficient experience to make up his own book and he can make up his book overnight, or if he makes his book the day before it will be necessary for him to have the form sheet.

Q. All I wanted to get at was—the question was brought here the other day—as to whether if bookmaking were taken away from the tracks whether that would not prevent the handbook man from making up his book?—A. That is just the point I was endeavouring to make there, that the man who is conversant enough with racing information to do handbooking could make up his own book, he could prepare his own information without the assistance of the bookmaker or those who generally make the books.

Q. Then if I understand you rightly even if the bookmakers were done away with on the race tracks the handbook man would still be able to ply his trade?—A. Most assuredly.

By Mr. Raney:

Q. Do you say that he could make the odds himself?—A. He could make the odds himself.

By Mr. McColl:

Q. Which would be worse than it is now?—A. By far, in my judgment, because of the class of people who do handbooking.

Q. His patrons would be absolutely at his mercy?—A. Would be at his mercy. As it is now, I may state that the bookmakers—a great many people think that all bookmakers are dishonest. That is not so, those who are dishonest are in the minority in my judgment, but as you say the patron would be entirely at the mercy of the handbook man. Well, as it is now, you can take it for granted that on the tracks run under proper auspices everything is fair and open and above board and the best horse figures to win, the bookmakers figure the best horse to win, whereas the handbook man would not always figure the best horse to win; he would with you, but with his people on the tracks it is possible that he would not; in other words the handbook man does not work alone, there are from 2 to 5 men in the handbook game and they work their game in handbooking which is a conspiracy.

Q. Now see if this is a correct proposition: the bookmaker in the beginning produces his slate and states the odds?—A. That is correct.

Q. But it is the public that actually make the odds?—A. He makes the odds but the public and the past performance of the horse or horses govern.

Q. That is the information that the public have to guide them in deciding what horse to bet upon; but the bookmaker makes no solicitation he only presents his slate?

—A. The past performance and the present condition of the horses, that is the way. As you or anyone who knows anything about it, or who has visited the tracks will know, horses start in the betting at 100 to 1 and come down to 10 to 1, and that is perfectly fair and honest.

Q. That is because of the influence the action of the public or the bettors has in connection with the bookmaker?—A. That is it.

Q. Do I understand that you have attended these race tracks and have observed what goes on there?—A. I have.

Q. Is there in your opinion any more fair or honest form of betting than what takes place at a properly conducted race track?—A. I think it is the fairest, and the percentage is more in favour of the bettor than any form of gambling or game of chance.

Q. That is the idea. This is the first witness that entirely coincided with my view and with what I have observed myself.—A. I am assuming you are there on the track betting your own money, exercising your own judgment, and seeing the races. I am against the pool room, selling advance information or publishing it through the mails or tipsters or touts. The man who visits the tracks and witnesses the races, is, I think, adopting the best and most legitimate form of gambling that I know of.

Q. And the betting there is done free and above board and before the public?—A. Before the public.

Q. And there is nothing secret in it whatever?—A. Not at all, and it is unsolicited as well. On a properly conducted track the odds as you know are placed before you, and the only soliciting the bookmakers do is to call the attention to the fact that the slate is before you and they say, 'Come on, boys and bet your money,' or something of that kind.

By Mr. Meredith:

Q. If I understand the chairman's view of the present Bill it will allow individual, amateur betting on the race course, but it will do away with the licensed bookmaker on the race course. As one who has had a good deal to do with the detection of crime, I would like to know whether in your opinion the doing away with the licensed bookmakers on chartered club race courses will mitigate or increase the evil, in your opinion?—A. It will increase the evil in my opinion. I do not know how you will determine—I do not know whether the Bill says 'amateur betting' or not, but I do not see how you will determine that class of betting, or how you will select your individuals to bet with if you are going to bet. If such an Act were passed what would probably happen would be that on the first two or three days after the opening of the track there would probably be a thousand gentlemen there, in different walks of life, who will become introduced in one way or another, and as soon as they become introduced they will have an opportunity of suggesting betting of certain kinds to each other, and you would find it difficult to ascertain in a ten or twelve or fifteen days' meeting who these gentlemen were, and if they were not who they were supposed to be when they were introduced, the result would be that you might find yourself in the hands of a confidence man, or in other cases there might be conspiracy between two or more persons to get your money, and it would greatly increase the opportunity for fraud. Where there is very little or none now, the opportunity for fraud would be very great under such a system of betting as that.

Q. Would it lessen or increase the difficulty of the peace officers in detecting criminals?—A. Oh, it would increase the difficulty of the police officer if he is called upon to determine as to whether the individual was an ordinary citizen or not; he might probably not be able to pick out one out of a hundred unless he knows them personally. The police officer if he were able to pick out one-fourth of the undesirable class of people who were there would do well. It would be very difficult to distinguish between the amateur and the professional bettor, as a matter of fact he pro-

APPENDIX No. 6

fessional bettors would be in disguise, and under such conditions they would probably be a much larger number than there are following the races at the present time.

Q. Some evidence has been adduced here to show that certain crimes have been committed as the result of betting on race tracks. Would you state what your experience has been in that regard, that is betting on race tracks, remember.—A. My personal experience, not based on newspaper reports which the public take as the occasion for making that statement, is nil. Personally I do not know of any case when it has been sifted to the bottom, in over 20 years' experience, that was not really due to one or more other causes, while I do know of probably 100 cases where it was given out to the public through the newspapers, the newspapers like to publish that as the easiest way out of it, that the party accused blamed it on racing. I have known of a good many cases where that was the excuse given out, but I have never known of any case where you could trace it back directly to betting on the race track; on the contrary it could be traced to one of several other causes. Of course in a case of wire tapping, that is another case altogether.

Q. What you mean to say is this that sometimes a man who is arrested might say that his downfall was due to betting on the race track, but that on working the case up you would trace the trouble to something prior to that?—A. Yes, I would say this that I never had occasion to go on the race track, to a bookmaker doing business on a race track, to get information about money that had been bet there, or to ask him to hand back money that had been bet with him. I cannot say that so far as the handbooks or the pool rooms are concerned because I have had occasion to do that.

Q. I do not know whether I have made myself clear. I was asking you whether in every case where men had attributed their downfall or their trouble to betting on the race track you had not upon investigation found that it was due to something else, but it was easier for them to give that as an excuse?—A. It is easier for a man to give that excuse. I do not know of any case where a man who passed through my hands lost his money on the race track, but I do know of a great many cases where they claim their downfall was due to betting on the race track.

Q. Now a certain complaint has been made by some that there is a certain following which have come to certain cities, where the races have been prolonged, because of those races. In your opinion will the doing away with the bookmakers on the track, if the races are held have the effect of stopping any of those undesirable people who have hitherto come, from attending?—A. No, on the contrary I should say that in my judgment it will bring a larger number of the undesirable class, who will gather with a view of touting on the street and at the hotel, handbooking and working on the public. When a certain portion of the public knew they could not go to the track and bet with bookmakers, then they would bet with the man who came to them with the handbook, saying that he represented Francis Jones, for instance, the big New York firm, that is what would occur, and I should say that a greater number of that class would come in with either forged or irregular credentials claiming that they represented well known concerns and they would get the money out of the public in that way.

Q. Now, just one or two more questions. At present if you want to bet with the licensed bookmaker on the track you will have to put up your cash, will you not?—A. You put up your cash, yes.

Q. You have to take the solid cash out of your pocket and put that up?—A. Yes.

Q. Now, if the licensed bookmaker is done away with and individual amateur betting is allowed will it tend to increase or lessen the credit betting?—A. It would increase it, which would be very dangerous in my judgment.

Q. I presume that with you, like the rest of us, if you part with the actual cash you would think more of doing it than if you were making a bet on credit?—A. That is what I base my statement on in saying that it would increase the betting which might result disastrously.

Q. Will individual amateur betting increase the solicitation of bets as against the present method with the bookmaker where all he does to induce betting is to put up his slate?—A. I think it would. It would let down the bars to the professional tout,

the professional better, who would go out among the crowd and who would work with his confederates who would make suggestions to individuals to bet. That is not permitted now on any track.

By M. Blain:

Q. Do you go so far as to say that you never knew of any person in your experience whose downfall was traceable to having commenced betting on the race track?—A. Yes, I made that statement. I do not know of any instance where a man's downfall was attributed to first betting on the race track. I said I had known people who had said that, and they probably had an object in doing so knowing that with these bookmakers it could not be ascertained how much they had lost, but beyond a shadow of doubt the real cause was traceable to one of several other causes.

By Mr. Sinclair:

Q. Why do you say that a man would make that statement if it were not so?—A. I might add there that the man who makes that confession is generally a born thief or a degenerate of some sort, and he would go to some other kind of evil if he did not indulge in that; he would gamble in stocks or bucket shops, or indulge in some form of gambling or betting on a game of chance.

Q. I will ask you this, you said that the adoption of this act and the prohibition of bookmaking would let down the bars for the handbook man and the private better?—A. Yes.

Q. Are not the bars down now?—A. I beg pardon.

Q. Is he not at liberty now to ply his trade?—A. No, he is not, we prosecute them wherever they are found, it is illegal; apart from that according to the rules of the association governing these race tracks they are prohibited from plying their vocation on the track, they are thrown over the fence as a matter of fact. It would be very difficult to take hold of the class of people who want to bet and to determine between the bookmaker and the amateur, if there is no possibility of a man going to a bookmaker and placing his money, if he wanted to bet he would have to find somebody who would bet with him and he would probably fall into the hands of the handbook man or the professional better.

Q. I agree with you that it applies to the handbook men, but that does not apply to the man who goes into the ring to find someone with whom he can make a bet, he is in the same position after the passing of this bill as he is now?—A. But he is affected by this bill in this way, that the bars are let down for the professional man being there in the disguise of a private individual, or of a man who is there waiting and seeking whom he may devour, because you have not the opportunity of walking up to a bookmaker and placing your bet; therefore, if you want to bet you must go and find the opportunity to do so.

By Mr. McColl:

Q. In other words what is now done in public there with the odds posted on the board, would be done secretly and clandestinely by men over whom there is no control?—A. That is the point, if I want to go to the race track and if I like a horse and want to place a bet on him, I want to place it with the bookmaker, but if I could not place it with a bookmaker I would probably look elsewhere.

Q. That is quite clear, I understand what you mean, the bookmaker is responsible and his customers know it, but if this bill passes they will not have that protection, they will have to bet with whoever they can.—A. They will have no other opportunity, the bookmaking as it is now is responsible.

By Mr. Blain:

Q. Are there any large proportion of those who bet that examine the horses themselves and use their own judgment?—A. 60 per cent of the people who bet, that is my judgment from observation see one or more of the horses and make their choice; before

APPENDIX No. 6

they come out for the march past they visit the paddock and examine the horses and some of them go around to the barns, except when the weather is bad.

Q. What proportion of the people who attend the races make bets?—A. I do not think I would be competent to answer that question, but a large proportion, I should say. I do not feel competent to pass on that.

By Mr. Moss:

Q. Do you act for any of the race tracks in Canada? Are you employed by any of the associations?—A. I am not employed by any. In the old days I did police the track for the Bellair people, the old association, but that was 8 or 9 years ago.

Q. For some years you have not been in the employ of any of the race tracks of Canada?—A. No, and that was merely on account of personal connection with a gentleman in Montreal.

Q. Now it has been stated here, I do not know the exact language, but I think this is the substance of it, by a number of gentlemen who are connected with the administration of the criminal law, that it was impossible to enforce any criminal law unless there was a large body of public opinion behind the law believing it to be morally wrong, that unless the bulk of the public believed it to be morally wrong it would be impossible to enforce it, do you believe that?—A. I would like to have you state that again.

Q. It has been stated in substance that it is impossible to successfully enforce a criminal law unless the bulk of public sentiment is behind it and think it ought to be enforced? Do you agree with that?—A. No, I do not think it is impossible.

Q. Is it difficult to enforce it?—A. Well, I do not think it is difficult, speaking from a professional point of view, to enforce any law if you occupy the position with proper officers.

Q. What I mean is that unless you have the public sentiment behind you, you may be able to prosecute individuals, but is not the offence liable to crop up in another form?—A. Oh yes, that is quite true, that the offence would crop up in another form as you have said, but with any law on the statute that is distinct and plain there should not be any difficulty in enforcing it.

Q. But the evil, if there be, is liable to crop up in another form?—A. Oh yes, if they are going to have racing I do not see any better form of controlling it than they have at the present time, with the law they have and under the auspices of the different associations with officers who have had many years' experience, and then our racing men in Canada, those that I know who are officers of the association, are gentlemen who, beyond question have the interest of the public at heart first, I am sure of that.

Q. Then to come back to the handbook men. The bulk of their operations is based on races on foreign tracks, is it not? It is absentee betting?—A. Yes.

By Mr. Raney:

Q. Might I ask were your visits to the race track in order to view the races as a sport or to lay bets?—A. Well, I have visited the track many times when I did not lay a bet, and I have visited it quite often when I did.

Q. Now, I want to ask your attention to a statement which I have before me. You know Mr. T. B. Macaulay, managing director of the Sun Life Insurance Company of Canada?—A. I know him very well.

Q. I have received this statements over Mr. Macaulay's signature:—

I would say that no matter how capable a young man might be, if he were known to us to be in the habit of betting with bookmakers on the race track, we would never for one moment think of promoting him to a position of trust in our office. That habit alone would be quite sufficient to bar him out from every position with us involving the custody of funds or securities. You may make what use you please of this letter.

1-2 GEORGE V., A. 1911

I want to ask you whether in your experience that attitude as stated by Mr. Macaulay is the characteristic attitude of financial institutions.

Mr. MEREDITH.—I do not want to make any frivolous objections, but first of all my friend has not proved that he got that letter, this is the first we have heard of that letter, and secondly, I do not know that Mr. Carrington can speak of any institution but his own.

The CHAIRMAN.—Mr. Carrington might be the judge of that?—A. Will you repeat your question.

By Mr. Monk:

Q. Whom is that letter addressed to?

Mr. RANEY.—Mr. Miller, chairman of the Committee.

By Mr. Raney:

Q. You understand what I have read to you?—A. I understand it.

Q. Is the attitude of Mr. Macaulay's company as stated by him characteristic, to your knowledge of the attitude of financial corporations generally?—A. No.

Q. But is it a common attitude with financial corporations?—A. It is with some financial corporations; it depends on whom are at the head of the corporation, I might say that with some corporations there is a tendency in puritanic directions, but with others it is different.

Q. And so if the head of the financial corporations is a Puritan, I think that is what you mean—

Mr. Meredith objected to the question.

The CHAIRMAN.—You must not interfere with Mr. Raney, as you have been doing. Mr. Meredith.

Mr. MEREDITH.—I think it is a mistake for Mr. Raney to bring in matters of religion here or to refer to one particular church, that is why I object?—A. I can understand the question, I think, and I might say that I do not think it is fair to ask me that question or to ask me to go into fuller details, especially as regards any gentlemen that have been mentioned here this morning; those gentlemen are our clients, I mean in a professional way.

By Mr. Raney:

Q. You are a private detective and have been for many years?—A. Yes.

Q. Your business is to collect evidence and to go into court and give evidence?—A. Yes.

Q. You are an expert along that line?—A. No, I am not an expert.

Q. I understand you are the greatest expert in Canada along that line?—A. I am an expert detective, but not an expert in giving evidence.

Q. Will you be good enough to explain what you mean by your answer. If the head of a financial corporation is a Puritan, then his attitude will be as stated by Mr. Macaulay, but if he is a race track man his attitude will be the attitude you have stated as being your attitude?—A. I will state that a gentleman at the head of the financial institution who would write a letter of that kind is by far in the minority.

Q. That is your view. You employ a great many men?—A. We have a large number of men in the service.

Q. And you look for men of trust?—A. We do.

Q. And if you knew one of your men was making a habit of playing the races, at the races, would that affect your confidence in him?—A. Not one bit.

Q. I am glad to have your answer. You told us a little while ago that the effect of prohibiting bookmaking would be to further demoralize the race tracks; is that what I understood you to say?—A. That is my judgment, and the prohibiting of bookmaking and the legalizing of individual betting, as I am informed this bill provides for, I have never read the bill, that is what you call amateur betting.

Q. I am talking about prohibiting bookmaking. I am not talking about amateur

APPENDIX No. 6

betting. I will read you from the letter of the Secretary of Agriculture for the Province of Nova Scotia on that point. I want to see whether you concur on that point with him, or whether you differ from him. Mr. Cumming, the Secretary of Agriculture for the Province of Nova Scotia, says:—

At the present time, because of the gambling associated with it, horse racing, which we believe to be one of the best sports we know of, is under the ban, and horse breeders themselves who look at the matter from a broad point of view, recognize that it would be decidedly to their advantage if they could get interested in their business a better class of citizens, who are, at the present, barred from attending horse races and taking a general interest in the horse business through the social disfavour in which the sport is held.

Then I have a letter from Mr. G. C. Creehman, President of the Guelph Agricultural College, in which he says:—

In reply to your letter of January 10, in which you inclose a copy of letter received from Mr. Cumming, of the Truro College of Agriculture *re* betting and gambling on the race track, would say that my views coincide exactly with those of Mr. Cumming. Farmers, however, are scarcely concerned in this Bill, except in so far as it affects the morals of our people in general. Farmers, as a rule, do not go to race meetings; therefore they do not bet or gamble.

Now, I would ask you whether you differ from the statement of these two heads of agricultural colleges in this country?—A. I do, from my knowledge of the race tracks situate in Toronto and Montreal, and by reason of the fact that I personally visited those tracks very often, that I know a great many people in Canada that are in the habit of attending there, most estimable people, and further than that I was born in the State of Kentucky and I have been back there twice since the Hughes' law was passed, and I know that the breeders of horses there consider it is a curse to the future of good breeding of horses.

Q. Let me read you one statement made before the United States Senate Committee on the subject; this is from the evidence of a gentleman, Mr. Brolaski—A. I have known him for 25 years.

Q. This gentleman describes himself before the committee frankly as a gambler, a bookmaker upon the race tracks and a handbook maker. I am quoting now from his evidence at page 211:—

Now, since the gamblers have been put out of St. Louis the people have been won away from race gambling, and except the handbook and results furnished by the Chicago Racing Form there is no pool room in St. Louis. Consequently the only way the people have of learning the result of races is through the Chicago Racing Form, which is the official paper. They do not get it until the day after the races. As I say, the people of St. Louis have virtually been won away from gambling. If you let the gambling habit grow, it is like the drinking habit, it will grow and grow.

A. It is absolutely not true, I have known of my own knowledge of the cities of St. Louis, Toronto, Montreal and other places the way the handbooking originates—

Q. I want to ask you about that?—A. Let me finish. As far as the handbooking originates a man can come to-day and take a bet with you or any one on a race that is to be run a week from to-day on the Form, that is to say that if that Form sheet has been printed he can take a bet with you, and on the day following the race, which would be Thursday, the telegraph would report the odds and the bet will be paid on them.

Q. We know all about that?—A. That is what applies to St. Louis as well, and it is not true.

Q. Do you know the Inter-State News Company?—A. I do not.

Q. Let me ask you this, take Toronto, for instance, the Woodbine races are on there for 13 days in the spring and 7 days in the autumn, and there is no pool room

1-2 GEORGE V., A. 1911

in Toronto, there has not been for years between the races; there undoubtedly always has been betting in Toronto, both before and since the Hughes' law came into effect, on horse races run on foreign tracks. Do you tell me the first handbook in Toronto came after the Hughes' law?—A. Oh, no.

Q. Of course not, handbooks were in existence, and there was the business of handbooking long before the Hughes' law?—A. I think handbooking to my recollection is about 15 years old, and there have been anti-betting laws as long as I can remember reading a newspaper.

Q. Handbooking simply takes the place of the pool room, and covers the field while the races are not in progress in Toronto. If there were a pool room there would be no handbook?—A. You could have both; they do have both.

Q. But they do not have both in Toronto, that is what I am pointing out, and the handbook simply supplies the gamblers with the means of gambling while the races are not in progress in that particular place. The handbook supplies the people of Toronto, to take a specific instance, with the means of gambling on horse races during all the rest of the year apart from the time when the races are on at the Woodbine?—A. That is one of the means.

Q. There are no other means you know of?—A. Yes, there are other means.

Q. What are they?—A. Well, through the mails bookmakers are soliciting business through all the cities; there is no law against that.

Q. I do not suppose that is a very serious matter, is it?—A. It is a very serious matter.

Q. I never heard of it before?—A. They call in the services of the professional letter writers, who write these letters, and who pick out their subjects, and they also advertise in the newspapers; I think there is one advertisement running in one of the Montreal papers now.

Q. We have not heard before that there was an aristocracy among the bookmakers?—A. I did not use that word.

Q. I understood you to say that the bookmakers were in a class by themselves, quite superior to the hand-book men?—A. Certainly, the bookmakers are.

Q. They are quite superior?—A. I do not know of a man whom I class as a bookmaker; you must understand that you must qualify a bookmaker the same as you would qualify a man in many of the professions. There are probably 50,000 people in the world who call themselves private detectives, but if it is boiled down there are probably 200 or 300 in the world that are experts.

Q. I am told that there are in Toronto about a dozen men who make books at the Woodbine during the meet?—A. Residents of Toronto?

Q. Yes, and I am told that between the race meetings a good many of those men run hand-books?—A. I do not think that is true.

Q. But do you know?—A. I think you are correct in this, that those men are employed by bookmakers during the race meet in Toronto; we have the same thing in Montreal; we have men there who are employed by the bookmakers.

Q. As runners?—A. Oh, no, in assisting; they assist in making the books; in a large business there would be seven or eight men engaged, but I do not know of one man who is a bookmaker during a race meeting and who later on is a handbook man.

Q. Will you swear there is not one in Toronto?—A. I could not swear there is not, but there are none to my knowledge.

Q. How many bookmakers have you in Montreal?—A. In Montreal?

Q. Yes, do you know of two?—A. I did know of two, but one of them died the other day.

Q. That is what I was told, so that it is not an extensive profession in Montreal?—A. But there are about 100 people who work with the bookmakers, and work around the pool rooms, many of them I know.

Q. Who may do hand-booking in the meantime?—A. Certainly.

APPENDIX No. 6

Q. Do you see anything wrong in bookmaking?—A. No, I do not see anything wrong if it is conducted under proper auspices.

Q. Do you see anything wrong in conducting a pool room if it is honestly conducted?—A. I do.

Q. Well, why?—A. I never knew of any pool room that was properly and honestly conducted, because the pool room is not a success without the tout, and because of what I call the undesirable means they adopt of getting their customers there in the first place or dealing with them after they get them there. I do not know of any instance; I have been in a great many pool rooms, and I have never been there without being solicited, but I was never solicited on a track in Canada.

Q. Your theory is that if this law is passed it will be evaded?—A. I do not know that it is a theory; I make the statement that in my judgment it will be.

Q. Do you know of any law on the statute-book but what is evaded?—A. I do not know that all are evaded; I simply know that some are evaded.

Q. Do you know of any instance where the downfall of a man was actually attributable to the race track, although you say you know hundreds of cases where they did attribute it to that cause?—A. Yes.

Q. You think you know better than they do, do you?—A. Well, I found out differently.

Q. Did you find it out for the purpose of giving evidence on behalf of the race tracks?—A. No, I never gave evidence of this kind before. I traced it up for the satisfaction of my clients and for the purpose of recovering their property, or tracing where it had gone to.

Q. And you say you traced it back to other causes, and that in some cases it was inherent in the individual?—A. I said I thought they were very often degenerates.

Q. And therefore if they have fallen on the race tracks it has been a mere incident that it was the race track on which they fell, and they would have fallen anyway?—A. That they would have fallen anyway in something else if they had not gone to the race track.

Q. You think 60 per cent of the people who lay wagers on the race track do so after making the best estimate they are capable of as to the capabilities of the different horses?—A. I do.

By Mr. Moss:

Q. Mr. Raney is quite correct in saying that the word 'bookmaking' occurs in the statute, but he is not correct in suggesting that the statute is directed against bookmaking because subsection (d) of section 7 of the Bill makes it an offence to 'engage in pool-selling or bookmaking or in the business or occupation of betting or wagering.' I understood you to say, Mr. Carrington, that you did not think it was practicable to draw a distinction on the race course between an amateur bettor and the person who engaged in the business or occupation of betting?—A. Speaking either privately or professionally, I think it would be impossible to define it.

By Mr. McColl:

Q. As to the distinction between the bookmaker on the race track and the bookmaker in the pool room, is not this the great distinction, that on the race track his patrons are largely men who go there for the sport, whereas in the case of the pool room they go there actually for gambling?—A. Positively.

Q. You are positive of that?—A. Yes, there might be a very few go there for curiosity; a certain percentage might go for curiosity.

Q. But speaking in general the patron of the bookmaker on the race track is the sport and the patron of the bookmaker in the pool room is the gambler?—A. Yes, and so it is with the handbook man. Whether the handbook man is responsible for the patron becoming a gambler or not is another question, but the possibilities are greater because the solicitation is greater from the poolroom man and the handbook man than it is when you are on the track.

By the Chairman:

Q. The last answer I think you made to Mr. Raney was that 60 per cent of the persons who bet on the track do so after judging the horses and after inspecting them?—A. No, I would say that he said that—I forget just how he worded that, but it is after forming their judgment either through talking with their friends or seeing the horses, and the majority of them see the horses. I say the majority of them see the horses, that is my judgment, and I take it from the number of people I see going to the paddock, I go to the paddock myself, and I do not suppose there is a race but everybody who likes horses goes to the paddock to see them. You know what a large percentage of the people like to see a pretty horse, and the pretty horses are on the race track.

Q. You said to Mr. Blain that if the weather was good every one went there; could they not see the horses from the stand?—A. You cannot as a rule see the paddock properly from the stand; if the weather is good I would go there and if the weather is not good I might not go there, but I do not know of any place in the world where there is a paddock where you can go to the paddock from the Grand Stand without going through an open space.

Q. You do not know of any single instance in all your long experience of any man embezzling funds or going to ruin as a result of betting with the bookmaker on the track?—A. I do not know of any.

Q. You do not know of any instance where that was really the cause?—A. I beg pardon, I said I did not know of any instance where it was the cause directly.

Q. You have known of at least 100 cases where the parties themselves said that was the reason?—A. I have known and read of several hundred cases in the newspapers.

Q. And in every case then of all those hundreds, of course you believe that the parties themselves, to use a plain Anglo-Saxon word, lied as to what really was the cause of their downfall?—A. I do, because they say that when there are probably 20 or 30 causes if they wanted to give you the real cause, and that is only one cause they give, 'I was putting the money on the horses,' not on the race track, but on the horses. They know it is difficult to locate that, but if they said it was in a bucket shop or in a pool room, or in some gambling room where they have a game going we could go to the man who kept it and we could find out the truth and they know that, so they say, 'I bet my money on the race track.'

Q. And so you say that these hundreds of people have practically lied as to what was the cause of their downfall?—A. Yes, generally, as I have explained to you.

Q. What would be the motive in that case of a man making a false statement as to that?—A. Because there is the greatest opportunity there to say 'on the race track.' If they said they had lost that money in a gambling house the man they complained to could go to that gambling house and find out beyond the shadow of a doubt how much they had lost and in that case you would know exactly how much they had spent in that way.

By Mr. Raney:

Q. And those men will tell you the truth?—A. They will tell the truth, as every police officer will testify, because if they are tolerated, in some places they are licensed and in other places they are tolerated for the same reason as other places are licensed from time to time, and you can get information from them, but on the race track you cannot trace each book.

By the Chairman:

Q. But what do each of these hundreds of men who make these false statements hope to gain by making it?—A. Public sympathy.

By Mr. Monk:

Q. Is it not often to gain the sympathy of the magistrate?—A. There are only a

APPENDIX No. 6

few cases that really come before the magistrate, but he expects to influence his employer or other persons who he thinks will be influenced by public opinion.

Q. How will it enlist the sympathy of the magistrate or even the public if a man says, 'I lost my money betting on the horses on the track,' rather than if he said, 'I lost it betting with the handbook man'?—A. Well it was not with the handbook man, but you legalize other forms of gambling that are not mentioned, and the public legalize them. We were not mentioning the handbook man. I do not say that I know of any special instance where the downfall was attributed to the handbook, but my judgment is that it would be bad legislation to have a law so that it would be interpreted that the handbook man, whether in disguise or not, was there, and he would be on the track disguised as an amateur bettor if there was no one else to bet with.

By Hon. Mr. Stratton:

Q. Then in your idea this parliament by legislating or approving of gambling on the race track creates a sympathy if at any time a person who has lost money on the race track comes before the magistrate?—A. Yes.

Q. That the magistrate is influenced by the fact this parliament in doing so has legalized what we should not legalize, is that it?

By Mr. Monk:

Q. That was not the question I asked the witness. What I suggested was that the fact that a man had lost his money betting on the horses would tend to give him not only the sympathy of the public, but when appearing before the magistrate he would have the sympathy of the magistrate instead of being condemned?—A. He throws himself on the mercy of the court, and he must attribute his actions to some reason. I would not want to say that any magistrate in his mind would condemn parliament for passing a law. If I were a magistrate I would not condemn parliament or give my decision upon that matter, I would try to define the law.

By the Chairman:

Q. You say, 'If I were a magistrate,' now supposing you were a magistrate and a man was brought before you for embezzling funds, in what way would he enlist your sympathy more by saying, 'I lost my money betting on the horses,' than if he said, 'I lost my money in betting on stocks or real estate'?—A. I do not think it would enlist my sympathies, I would ask him a few questions privately or publicly, and find out what it was really attributable to.

Q. Would he be likely to enlist the sympathy of the magistrate more by saying he lost his money on the horses than he would by saying that he lost it by a real estate speculation, would the one influence the magistrate more than the other?—A. Well, I should be inclined to think it would depend upon the magistrate. I do not think it is a question I could answer.

By Mr. Moss:

Q. He might not have lost the money at all, he might have put it away.—A. That has all to be taken into consideration.

By the Chairman:

Q. You say that in these hundreds of cases that you have learned about, one way with the other, you do not believe that betting on the horses was the sole cause of downfall of the men. Are you willing to say that it was in many of those cases one of the causes of the downfall of the man, not in every case?—A. Oh, yes, because if a man is a gambler at heart that would be one of the forms in which the opportunity would present itself.

Q. That is it exactly, he has a natural gambling instinct and gambling on horses is one of the means he will take to gratify that desire.—A. According to this Bill you are legalizing betting.

Q. No, will you answer the question?—A. I will answer the question if you will ask it again.

Q. My question was simply this, are you willing to admit that in a large number of those cases betting on horses was one of the causes of the downfall of the man?—A. I will qualify that by saying, yes, that it was one of his weaknesses and he took advantage of the opportunity, but I follow that by saying that if the Bill is as I am informed it is, he will have many more opportunities under that Bill.

Q. I did not ask you one thing about the Bill. Just one other question I would like to ask you, and that is this, a bookmaker on the track holds up a board, a slate or a card, with the odds on it, does he not?—A. He usually has a slate, a blackboard.

Q. That marks him to the public at once as a bookmaker?—A. He is obliged to have his name on the top of the blackboard, and the odds are marked on it.

Q. If this bill should prevent that man going about the track holding up his slate, blackboard, or anything else showing the odds he was offering, he would appear on the track as any ordinary individual, and would not that very much lessen his chance of making bets?—A. With certain people it would.

Q. But would it not on the whole?—A. Well, as I said about the New York track, there was only a handful of people there compared with the crowd that formerly visited the track, and therefore his chances were lessened, but all the people there were betting.

Q. Supposing the crowd were just as large, in the same sized crowd would not his chance for making bets be very much lessened if he were prohibited from holding up anything to indicate to the crowd he was a bookmaker?—A. I think there would be, that is my opinion, fully as many bets, but I question if there would be the volume of money changing hands, but they would organize the same as they have organized at other places; they would arrange some scheme.

By Mr. Moss:

Q. You might complete the explanation that you started to give to Mr. Miller regarding gambling when he asked you if that was one of the causes of a man's downfall. You started to make an explanation which Mr. Miller interrupted?—A. I started to discuss the Bill if they were going to legalize—

Q. I do not want you to refer to the Bill. I think you started to say that if a man was by nature a gambler, born a gambler that there were hundreds of opportunities offered him in different ways to indulge in gambling?—A. That would be one, yes, that is the explanation I started to make, that there are hundreds of opportunities for him to gamble and that is only one of them, and I do not know whether you could say that it is the cause. You often see it reported in the newspapers when a man gets into trouble that it is due to the race track, but there is no way of tracing it back, even if he did not lose the money on the track there would be no way of determining it.

By Hon. Mr. Stratton:

Q. That is a popular excuse?—A. If there were twenty-five or thirty bookmakers there he would say that he had bet money on the race track but you could not trace it.

By Mr. Moss:

Q. Is it not a fact that in a number of cases where men have been known to say that they had lost their money in different forms of speculation or gambling and had been convicted of it, it has subsequently turned out that they had not lost it, but that they had put their money away and after serving their term they came out and got the money afterwards?—A. Quite often.

Q. And the race track would afford a peculiarly useful excuse in that way because there are no ways of ascertaining the truth or otherwise of that excuse?—A. That is my explanation.

By the Chairman:

Q. Could you name any such cases as that?—A. No—I could name them but I

APPENDIX No. 6

do not care to, I can swear that I know of such cases, but I would not mention names or places.

Q. How many can you swear to, how many can you think of now?—A. I can think of three cases just offhand.

By Mr. McColl:

Q. Now as to the question of criminals giving as an excuse that they lost their money at the race track, is not this the reason for that, that it is well known many of the best people in the country patronize the race tracks and bet there, and that they do that so that they can say I was only doing what the president of a bank was doing; I made a mistake but I was only following the example set by the best people in the country, people who would not patronize anything that was wrong?—A. That is quite right, I have seen the heads of the largest institutions on this continent, and crowned heads as well on the race course placing their money with the bookmakers.

Q. And a criminal coming up before the magistrate would hope that he was letting himself down easily by saying: 'I lost it on the race track,' because of the associations?—A. I have seen magistrates betting on the race tracks with the book-makers.

Witness discharged.

RALPH LAWTON, Toronto, called, sworn and examined:

By Mr. Raney:

Q. Your name is Ralph Lawton?—A. Yes, sir.

Mr. RANEY.—I would ask the same indulgence with respect to this witness that I asked when Inspector Duncan was on the stand, that this witness' name, for reasons that are apparent, shall not be published in the newspapers, and that the names of persons he mentions shall not be published, or the name of the company by whom he was employed.

Q. How old are you?—A. 30.

Q. Where do you live?—A. Toronto.

Q. And are you married?—A. Yes.

Q. How long since you have been married?—A. Five years.

Q. Have you a family?—A. I have, two children.

Q. How old are they?—A. One is two years and the other six months.

Q. You were born in England, I believe?—A. Yes.

Q. How long have you been in this country?—A. Twelve years.

Q. You were employed up till last July, I think, by the Metropolitan Life Insurance Company?—A. Yes.

Q. As collecting agent?—A. Yes.

Q. And will you tell me whether you have had some racetrack experience?—A. I have had quite a little racetrack experience.

Q. At the time that racetrack experience began did you have a home?—A. I had a very good home.

Q. And you had a wife?—A. Yes.

Q. And you had some furniture?—A. Yes.

Q. Are you a drinking man?—A. No.

Q. Have you ever been a drinking man?—A. No.

Q. How did you come to go to the race track first?—A. One of the agents that worked with me induced me to go for a day's fun, as he called it.

Q. He invited you to go?—A. Yes.

Q. When was that?—A. A year ago last fall.

Q. Was it before or after the Woodbine fall meet?—A. Before the Woodbine.

Q. And you went with your friend to the Dufferin Park; did you bet?—A. Yes, I did bet.

Q. Did you bet with the bookmakers?—A. Yes.

Q. Was that your first taste of horse racing?—A. Yes.

Q. Did you go to the Woodbine the same fall?—A. Yes.

Q. How many days of that meeting did you attend?—A. As far as I can remember it was three days.

Q. Did you bet there?—A. Yes.

Q. With what success?—A. With very little success.

Q. I should have asked you perhaps what your wages were when you began going to the Dufferin Park track?—A. \$13.

Q. Plus some commissions, I believe?—A. Yes.

Q. What were your wages when you were dismissed?—A. \$16.

Q. Plus some commissions?—A. Yes.

Q. It ranged up to some \$20 a week I believe?—A. Yes.

Q. And you went to the Woodbine and bet there in the fall of 1908 with indifferent success?—A. Yes.

Q. What followed that?—A. We went to Hamilton the following week.

Q. You and the same friend?—A. No, he did not go.

Q. You went with some other friend?—A. Yes.

Q. Did you lay wagers at Hamilton?—A. Yes.

Q. With what success?—A. Very little success.

Q. You lost again?—A. Yes.

Q. Then did you go on after that playing the horses?—A. No, that ended the horse racing then.

Q. It ended it for a time?—A. For a time.

Q. Did you go back to the Dufferin track?—A. I guess a month or so after when the ice meet started at Dufferin track.

Q. You went back there?—A. Yes.

Q. Did you bet there?—A. Yes.

Q. And when the spring came around again, last spring that would be, did you go to the Woodbine?—A. Yes.

Q. Did you bet again?—A. Yes.

Q. How many days did you attend that spring meeting?—A. The whole of the last week.

Q. What was the result of your betting there?—A. Just about even, I think.

Q. Then what happened?—A. From there we went to Hamilton.

Q. I understand that during the race meets at Hamilton there are special trains run from Toronto?—A. They run every day.

Q. And they run straight to the tracks?—A. Yes.

Q. Are those trains very largely patronized by Toronto people who belong to the class of workingmen and so on?—A. Quite a majority.

Q. You say that the majority of them are of that class?—A. Yes.

Q. You went to Hamilton at all events; you followed the horses to Hamilton in the spring of last year. How many days did you go to Hamilton?—About four days the first week and five days in the second week.

Q. You went nearly every day?—A. Yes.

Q. Did you bet there?—A. Yes.

Q. With what success?—A. Very little success.

Q. Did you lose?—A. Yes.

Q. Were your bets always with the bookmakers?—A. Yes.

Q. Always with the bookmakers on the track?—A. Yes, on the track.

Q. After Hamilton what followed?—A. We went to Fort Erie.

Q. You still followed the horses to Fort Erie?—A. Yes.

Q. How many days did you go to Fort Erie?—A. About four days a week; I cannot exactly remember, it was some six weeks, and I went every day I could.

Q. How many days altogether?—Twelve days.

Q. Going to Fort Erie and returning to Toronto every day?—A. Yes.

APPENDIX No. 6

Q. What was the net result when you got through that year?—A. The net result was I lost \$300.

Q. Was that your own money, the whole of it?—A. No, sir, it was not my own.

Q. Whose money was it?—A. Some of it belonged to the Metropolitan Life Insurance Company.

Q. And they called you on the carpet, I believe?—A. Yes.

Q. And they asked you what you had done with the money?—A. Yes.

Q. You told them?—A. Yes.

Q. And they discharged you, I believe and told you they would not have a man in their employment who played the races?—A. Yes, that is one of their strictest rules.

Q. What followed that, were you prosecuted?—A. Yes.

Q. Were you prosecuted in the Police Court, I mean for using the company's money?—A. No.

Q. What did you do?—A. I made a settlement with them.

Q. How did you make the settlement?—A. I promised to pay it.

Q. Did you pay it?—A. Almost all of it.

Q. How did you raise the money?—A. By mortgaging my furniture.

Q. Did that stop you from the betting?—No, sir.

Q. Where did you bet after that?—A. Dufferin Park.

Q. You were betting still with the bookmakers?—A. Very little.

Q. Why were you betting very little?—A. Because my funds had run out.

Q. Had they completely run out?—A. Yes.

Q. Were small sums coming into you?—A. There was a little money coming to me from policy holders to whom I had advanced premiums, but it did not amount to much.

Q. But when you did get that money, what did you do with it?—A. I went to Dufferin Park.

Q. How did your wife get along at that time?—A. She did not get along very well.

Q. And did your children get along?—A. They were in the same position.

Q. Were you able to give your wife any money all these weeks?—A. No, sir.

Q. What happened, you were living in a home and had furniture, did you tell your wife during all this time what you were doing?—A. Of course when the furniture was mortgaged she knew it.

Q. But did she know it all the time before that?—A. She knew it once, and then she forgave me.

Q. But she did not know it until you were discharged?—A. The inspector of the company had told her about it.

Q. Of course she tried to get you to stop?—A. She did, she tried very hard.

Q. Did you stop?—A. No.

Q. What happened to your furniture?—A. My father-in-law took it for the money he had advanced me.

Q. What did you do without the furniture?—A. There was a certain amount of furniture left.

Q. What did you do with that?—A. I took two rooms.

Q. Did you frequent the tracks?—A. After the two rooms?

Q. Yes. What happened. I understand your wife had you up in the police court for non-support?—A. Yes.

Q. What was done then?—A. I was remanded on suspended sentence.

Q. Why?—A. On my promising not to go back to the race tracks again.

Q. It was on your wife's intervention, and at her desire not to prosecute you?—A. Yes.

Hon. Mr. STRATTON.—I think that happens in every line of business, no matter where a man is.

Mr. RANEY.—No doubt about that, I wanted to get this particular case on the

record because the last witness says he knows of no case where a man's downfall can be traced to the race track.

By Mr. Raney:

Q. Have you been on the race track since?—A. No.

Q. Now, tell me this, what about other young men in your position, do you know of others in similar positions to yours, men who were receiving small salaries doing the same thing as you were, playing the races?—A. Quite a few of them.

Q. Do you remember a case of a hod-carrier?—A. Yes.

Q. Tell me about his case, do you know his name?—A. I do not see why I should have to say it, if it gets into the newspapers—his name is Summers.

By Mr. Meredith:

What is his first name?—A. George.

By Mr. Raney:

Q. What about him?—A. He got out of work, and the first thing he did after he started again was to go on the race track, I saw him there.

Q. The first thing he did was to go on the race track?—A. After he got paid for the first work he did.

Q. Where did you see him?—A. At the Woodbine.

Q. Was he betting there?—A. Yes.

Q. Do you know whether he owed money at that time?—A. He owed me some money.

Q. What did he owe you money for?—A. For premiums I had paid for him.

Q. What about the clerk of your own company that went with you? Did you know of clerks in employment like yourself?—A. Two of them.

Q. Do you know what their losses were?—A. One of them was out away over \$100 last summer.

Q. And the other one?—A. I could not tell you what his loss was, but he is only just recovering from being in very nearly the same position as I was.

Q. Has he quit it?—A. Yes, he has quit it.

Q. Did you know of any working men personally besides those you have spoken of who have frequented the races betting and lost their money, men earning \$10 or \$12 a week?—A. Yes.

Q. Men who frequented the Woodbine?—A. The Woodbine and Hamilton.

Q. Do you recall the case of a furnace and lawn man, a man who attends to gentlemen's lawns?—A. I recall it very well.

Q. Tell me the particulars of that case, will you?—A. This man, I met him on the train——

Q. Do you know his name?—A. No, I do not.

Q. Where did you meet him?—A. I met him on the train going to Hamilton. He and his friends said they had \$400 between them, and that they were going to play a system, and I kind of laughed at the idea of a system, as everybody did at that time, but they played their system and they hadn't any money left when they got through.

Q. They lost it all?—A. They lost every cent of it.

Q. Do you remember the case of a Queen street tailor?—A. Yes. I also remember him, he hadn't enough money left at the finish to pay his hands.

Q. He hadn't enough money to pay his help in the shop?—A. No, he had not.

Q. What was his name, do you know?—A. No, sir.

Q. Do you know where his store is in Toronto?—A. Yes, on Queen street.

Q. At what meet was that?—A. That was at Dufferin meeting.

Q. Have you ever gambled in any other way except on the horses?—A. No.

Q. Did you ever have any trouble with your wife except on this matter?—A. No.

Q. Did you ever have any trouble with your employers except on this particular occasion?—A. No.

APPENDIX No. 6

Q. The detectives have said here, several of them, that they see no evil in race-track gambling?—A. I do not think there are any greater evils in the world than racing and gambling.

Q. That is from your point of view?—A. Yes.

By Mr. McColl:

Q. You spoke about a hod carrier that you knew went down to the track, you had done some business with him and he owed you some money, did he go there at your solicitation?—A. No, he did not, that was the first time I ever saw him at the track or knew that he went there.

Q. How did he come to go?—A. I could not tell you.

Q. If he owed money at the time and spent it on the race track that was a wrong thing to do?—A. Yes.

By Mr. Counsell:

Q. Mr. Raney asked you whether you were able to give your wife any money, and you answered him, no?—A. I did not understand Mr. Raney said no money, I gave her some money but practically nothing; she had to live.

Q. Was she asking you for money?—A. Of course she was.

Q. And you had money in your pocket and did not give it to her?—A. I had money in my pocket.

By Mr. Raney:

Q. Can you tell the committee why you went on this way month after month?—A. I cannot tell you any reason except that like drinking the idea got hold of me and I could not resist it; I tried to fight it off but I could not, and I had friends in Toronto who tried to keep me from going to the track.

Q. And you say your wife tried?—A. Yes.

Q. And her father tried?—A. Yes.

Q. But they could not get you to give it up?—A. No, sir.

By Mr. McColl:

Q. But you are cured now?—A. Yes.

Witness discharged.

Mr. JOHN J. PENDER, called, sworn and examined.

By Mr. Meredith:

Q. What is your position, Mr. Pender?—A. I am the assistant superintendent of Pinkerton's International Detective Agency.

Q. The Pinkertons' International Detective Agency has offices in Canada and in the United States?—A. Yes, we have 21 offices all over the country.

Q. You have 21 offices?—A. Yes.

Q. Has your agency made rather a speciality of the work of detecting gambling on the track and crime of different kinds?—A. We police and control every first-class race track on this continent.

Q. Now you have an office in Montreal?—A. Yes.

Q. The head office in Canada?—A. Yes.

Q. Have you had occasion to personally visit the different tracks in Canada and in the United States, especially in the United States?—A. I have visited the principal tracks in a professional capacity of the United States and I have also been superintendent of the track at Blue Bonnets.

Q. Now, have you had occasion to visit the tracks in New York since the passing of the Hughes' law?—A. I have.

1-2 GEORGE V., A. 1911

Q. Will you tell the Committee in as few words as possible the effect of the Hughes' law on the attendance, and the class of people attending, &c.—A. As figured by the receipts of the different racing associations, I understand that the figures are that in 1907, prior to the passage of the Hughes' bill the receipts of the race tracks—

By Mr. Raney:

Q. The witness say that he understands, could he be a little more definite?—A. Well, it is the published figures given by the controller of the State.

Mr. RANEY.—I just want to call attention to this kind of evidence that is all, I am not objecting to it, you understand, Mr. Chairman.

The CHAIRMAN.—The committee will hear it.

A. The figures of the controller show that from the tax they paid into the State the receipts in 1907 were \$4,000,000, and the receipts in 1908, the first year—

By Mr. Raney:

Q. The receipts for what?—A. The figures I gave were the gate receipts for all the tracks in the State of New York for 1907. In 1908, the Hughes' bill had just become operative in that year, the gate receipts were \$1,500,000, but the receipts for last year had dwindled down to \$600,000.

By Mr. Meredith:

Q. As to the class of people attending before and after the Hughes' bill passing?—A. The class of people who patronize the track has always been very good, but now we are left with a very poor run.

Q. And what have you to say as to the class of horses?—A. The class of horses has much deteriorated; all the good horses practically have been shipped abroad.

Q. And how about the purses?—A. The purses are much smaller.

Q. And what effect has the Hughes' bill had on the betting? Would you tell the committee from your personal observation what effect it has had on that?—A. In proportion to the population there is just as much money bet now as ever there was, that is in my judgment.

Q. Does the betting go on on the race course as formerly, or in other ways?—A. It goes on in a new form, they have what they call the oral betting.

Q. And is the new form of betting worse or better than it was before the Hughes' Bill became operative, in your opinion?—A. In my opinion it is much worse.

Q. What effect has it had on the pool rooms and the handbook men and that kind of thing, has it increased their facilities or lessened them in your opinion?—A. It has resulted in a very decided increase among the pool rooms particularly in New York city.

Q. Now does your agency act in the different cities in Canada for large corporations, large companies?—A. It does.

Q. And does it act similarly in the States, I do not want to go into particulars?—A. Yes.

Q. And if there is a bill before this committee which allows apparently according to the understanding of the chairman at all events, individual amateur betting on the race course, but will have the effect of prohibiting licensed bookmakers on chartered race courses, would you state your opinion as to what will result if such a law is passed? Will it ameliorate the so-called moral evil, or will it increase it?—A. In my opinion it will increase it.

By Mr. Blain:

Q. Why?—A. Well, if you have twenty bookmakers at a track they are in a kind of enclosure, they are ordered to remain there, that is subject to moving around under the law, but they are confined to that part of the track and the betting is under control. Now then if you forbid bookmaking for every bookmaker that you have now you will have in my opinion five so-called bookmakers and they will not be within control. At

APPENDIX No. 6

present minors are excluded from the betting ring, jockeys are not permitted there, jockey's valets are not permitted there, and no woman is allowed in that enclosure, but if you make a law permitting as you propose what is called individual betting there will be betting all over the race track, in the infield, in the paddock, upon the stand and everywhere else.

By Mr. McColl:

Q. Has that been the experience or the result in New York since the Hughes' law was passed?—A. Positively, sir.

By Mr. Meredith:

Q. Will it, in your opinion, be possible for the parties who police a race track to distinguish between the amateur bettor and the professional one, if the bookmakers as a class are thrown off the race course?—A. I know of no means by which you could do it.

Q. Do you approve of effective legislation to do away with the tout, the advertising of bets, the pool rooms, and such things as that?—A. I certainly do.

Q. Now, in the event of the licensed bookmaker being prohibited from attending the course, a chartered race course, will that diminish or increase the attendance? The feeling which has been referred to here is that there are a certain number of people coming to the race track who are of an undesirable class, will it increase or decrease that?—A. In my judgment it will bring more of that very class to the race track.

Q. Would you explain that to the committee?

By Mr. Monk:

Q. How will that come about?—A. Simply because it permits the practice of betting to go on without being under due and proper control, anybody and everybody will be at liberty to make bets in any place, and they will gather and do that, in my judgment. In short my opinion is this that if you want to have racing you must have betting, and if you have betting you should control it and I believe all the associations are holding the bookmakers to strict account, which they should do, and I do not think it will be fair to the patrons who go to the race track to permit them to be fleeced by people who are not within control.

By Mr. Blain:

Q. Every person that wanted to bet, as you have just said, bets now, you are referring to the individual betting, and what I say is that the individual man upon the track can bet with his neighbour on the track without any restrictions under this Bill?—A. Yes, I believe that, and you will be surprised how many neighbours the visitor will find if you pass this Bill.

By Mr. Meredith:

Q. In your experience at present the average person that bets on the race course to-day, does he bet with individuals, or doesn't he bet with the bookmakers in preference to betting with the individual?—A. He bets with the bookmaker in preference.

Q. If those bookmakers are done away with the parties he will bet with will be the individuals?—A. I do not know who he will bet with, and he will find that he does not know either, when he wins.

Q. Will doing away with the licensed bookmaker necessarily do away with book-making? In fact will not the bookmaker be there in disguise?—A. He will become an experienced spectator then.

Q. In your opinion, doing away with the bookmaker will increase the amount of credit betting, if I may so call it, instead of cash betting?—A. It certainly will. A man when he has to part with his money he thinks it over and looks at it, and tries to figure out whether he is doing a wise thing or not, but if he can go to Tom or Bill

or Dick and say, 'I will bet you \$20,' it does not seem to impose the same amount of responsibility.

By Mr. Blain:

Q. What proportion of the people who attend race courses in Canada, at Toronto and Montreal and such places in your opinion do any betting at all?—A. Well, I do not know. Of course that is a difficult question, but I should say that probably 50 per cent of those that attend the tracks make an occasional wager; I do not mean they bet on every race, but perhaps 50 per cent of them who attend will make a wager.

By Mr. Raney:

Q. So you are from Montreal?—A. No, from New York; we have an office at Montreal.

Q. And you are the assistant superintendent?—A. Of the New York office.

Q. Did I understand you to say you have been superintendent of the Blue Bonnets track?—A. Yes, sir.

Q. How many years since?—A. I attended four meetings, two as superintendent and two in another capacity.

Q. When did you attend last?—A. I think it was two years ago.

Q. Are you a betting man yourself?—A. No, sir.

Q. Were you never a betting man?—A. No, sir.

Q. You do not believe in it?—A. Well, I cannot afford to lose and I have other things to take up my time on the race track.

Q. Do you see any good thing in bookmaking?—A. Yes.

Q. What good do you see?—A. I think if a man has red blood in his veins and wants to make a bet and a man is there to grant him the accommodation I do not think it is doing any harm.

Q. I did not ask you that. You see no harm, but do you see any good?—A. It just depends upon whether a man wins or loses.

Q. If a man wins the other fellow's money it is good?—A. Yes.

Q. Well, we get your standard at all events. Now you said something about horses and the effect of betting on the horse. We had the Hon. Adam Beck here the other day as a witness before this committee and I understood him to tell the committee, they will correct me if I am wrong, that in his view the price of the thoroughbred horse in New York State, a first class thoroughbred horse, never was higher than it is to-day?—A. I do not think his experience is that, or that it is the experience of practical racing men.

Q. I suppose that perhaps Senator Agnew of the New York Senate would know something about it?—A. He might know something.

Q. You know who he is?—A. I do, very well.

Q. He has been following this subject very closely, a man of great repute?—A. Yes.

Q. This is his statement:

Horses of all kinds are just as high-priced, in fact, I believe a little more high-priced in New York and also in the State of Kentucky since the passage of our Bill than before.

Do you think you know more about it than Senator Agnew knows anything about it if he says that.

Q. Are you a horseman yourself?—A. No.

Q. Is Senator Agnew?—A. No.

Q. You do not know that he is?—A. No.

Q. You do not know that he is. So that at all events your views are superior to those of Senator Agnew on that point, as you think?—A. I think so.

Q. You put your views against those of Senator Agnew, who is on the ground as much as you are, at all events, and against Hon. Mr. Beck, who is an experienced

APPENDIX No. 6

horseman?—A. I think I know better than Senator Agnew on that point if he says that.

Q. I will read you something further that he says:

I might further call your attention to the fact that during the fight by which the Anti-Racetrack Gambling Bills became law, it was contended by the representatives of the race-track interests that if gambling was stopped at the race-tracks the natural result would be that there would be no racing; and that, consequently, the breeding industry, in which large sums of money had been invested in good faith, would be obliterated. They further claimed that the racing stock was necessary for the improvement of horseflesh generally. All of these points are being proved erroneous; for it is now evident to the world at large that the establishments which were engaged in the breeding of race horses could be likened to a manufactory engaged in the production of a highly developed and delicate mechanism for one particular purpose, which did not directly or indirectly fulfil any other useful purpose.

You contradict that, of course?—A. I say that you cannot have racing without betting, and the attendance on the New York track proves it.

Q. I suppose you cannot have the gamblers there, that is what you mean?—A. I do not mean that at all.

Q. You must mean that?—A. I do not mean that.

Q. Do you tell me now that nobody will go to the horse races for the sake of seeing the races?—A. No, I did not, but I do mean to say there will not be enough people go to keep it up.

Q. Have you followed the history of horse racing at all?—A. No, but I know that.

Q. Do you happen to know that, almost a hundred years ago, there were races on Long Island that were attended by 60,000 people, before the bookmaker was ever heard of?—A. A hundred years ago.

Q. Almost a hundred years ago, in 1823?—A. No.

By Mr. Monk:

Q. You were not present?—A. No, I was not present.

By Mr. Raney:

Q. You do not know whether that is true?—A. No, there might be a match race.

Q. Do you know when bookmaking began on this continent?—A. No, I do not.

Q. I am told it did not begin as the financial foundation of horse racing until 1880?—A. No, I do not know.

By Mr. McCarthy:

Q. I thought in opening that as far as the Woodbine was concerned Mr. Raney gave us practically a clean bill of health.

Mr. RANEY.—I did say something about the Woodbine and Hamilton which I did not say with respect to Fort Erie and Windsor.

By Mr. Raney:

Q. Your association, Mr. Pender, has been employed by all the racing tracks on the continent, practically?—A. Yes.

Q. And by the Jaurez track in Mexico?—A. Yes.

Q. What do you think of that track?—A. I wasn't there; I never saw it.

Q. You know about it?—A. Yes.

Q. What do you think about it?—A. I know there is such a place and that a race meet takes place there; beyond that I haven't any information.

Q. Is it a first-class track?—A. I couldn't tell you.

Q. What about Fort Erie?—A. I have never been on the Fort Erie track.

Q. Your association has been deriving a large revenue from the racing tracks?
—A. Yes.

Q. And you think the operation of the Bill will increase the betting?—A. I do.

Q. Why do you not favour it and please the bookmakers if it is going to increase the betting?—A. I am a believer in racing.

Q. You believe in the principle of the licensing and segregation of vice, is that what you mean?—A. No, I am not talking about vice at all.

Q. Isn't gambling a vice?—A. Yes.

Q. Is betting a vice?—A. No, I do not think so.

Q. Is betting not gambling?—A. No, I do not think so.

Q. Have you ever looked at the dictionaries to see what the meaning of gambling is; they all define betting as gambling?—A. You cannot tell me that a decent man who goes to the race track and makes a bet is a criminal or commits an offence.

Q. You want to see the touts and the handbook men all done away with?—A. I think that they should be.

Q. They do not employ you?—A. Indeed they do not, and they could not ever employ me.

Q. Do you go to the race tracks to look for thieves sometimes?—A. Yes.

Q. That is largely what your association is employed to do, to patrol the race tracks and look out for thieves?—A. In Canada we go to the race tracks to protect the Canadian citizen.

Q. Protect them against whom?—A. Against any undesirable that may be there.

Committee adjourned.

HOUSE OF COMMONS,

Room No. 32, Wednesday, February 2, 1910.

The Committee resumed at four o'clock p.m., Mr. Miller, chairman, presiding.

Mr. XAVIER CARDINAL, gardener, Côte des Neiges, called, sworn and examined.

By Mr. Monk:

Q. What are your duties at Côte des Neiges?—A. I am the Mayor of the place.

Q. How long have you been Mayor of Côte des Neiges?—A. Two years.

Q. Were you Mayor when the Montreal Jockey Club started its track at that place?—A. Yes.

Q. Do you know the men at the head of this club?—A. I know some of them.

Q. To your personal knowledge are they men who enjoy a high reputation in Montreal?—A. They are.

Q. Have you attended these races?—A. Yes.

Q. Are they managed in an orderly manner, or have they caused any trouble within your municipality?—A. None.

Q. Now, Mr. Mayor, are you of the opinion as a farmer, and knowing the agricultural situation in your district, that the jockey club has effectually brought about progress in the raising of horses in that province?—A. Yes.

Q. Upon what do you base your opinion?—A. Well, in the first place, it has done a great deal of good in the neighbourhood by the construction of buildings upon the race course, and by the sales of hay and oats in our locality.

Q. Do you think more particularly that there has been an improvement in the breeding of horses?—A. Yes.

APPENDIX No. 6

Q. The point having been discussed here as to whether the thoroughbred is a useful horse for breeding purposes upon the farm, I want to know what your opinion is upon that point?—A. I consider it is a useful horse for that purpose.

Q. Why is the thoroughbred horse used?—A. It is used for the purpose of cross breeding.

Q. Now, Mr. Mayor, did the population both old and young of your locality visit the race course?—A. Yes.

Q. Have you noticed that the young men as well as the old in your locality abused the facilities offered for betting?—A. No.

Q. Would you have had an opportunity as Mayor of the municipality to observe, or to hear of, any such excesses if they had occurred?—A. If there had been any I think I would have heard.

Q. Has the racing since it started in your locality been a source of disorder through excessive drinking or otherwise?—A. No. As regards liquor it is too dear there to cause any disorder.

Q. Do you think there would be as large an attendance if the present system of betting were discontinued?—A. I have not sufficient knowledge to be able to answer that question.

Q. Have you observed sufficiently to give an answer to that question?—A. I have not observed sufficiently to be able to do so.

Q. Since the races have been begun there have you received any complaints?—A. With regard to my own municipality since the races have been held there has been no complaint as regards the maintenance of order in any respect.

Q. Do you concur in the certificate which was sent in here on behalf of the municipality?—A. I do.

Q. Do you confirm that certificate?—A. I do in every respect.

Witness discharged.

Mr. CAMILLE LEGARE, gardener, Côte des Neiges, called, sworn and examined.

By Mr. Monk:

Q. Describe your position?—A. I was for twelve years a member of the Council of Côte des Neiges.

Q. Have you heard the testimony of the previous witness?—A. I have heard the testimony just given by the mayor, Mr. Cardinal.

Q. Do you concur in the answers given by that witness to the questions which have just been put to him?—A. Yes.

Q. Have you any knowledge of the thoroughbred horse and the use of the thoroughbred horse since the Jockey Club was established in that locality?—A. I have some knowledge of it, the cross of the thoroughbred on the ordinary mare produces a good light horse.

Q. You say that the cross is useful because it produces a light buggy horse?—A. It is of very great use for that purpose, and it also produces a light express horse.

Q. Is that kind of horse much used among the truck gardeners of the island of Montreal?—A. Well, most of the gardeners use one light horse.

Q. Does it require to be rather a speedy horse?—A. Some like it; some like to have a speedy horse.

Q. Are there a great many of those gardeners upon the island of Montreal?—A. There are many.

Q. Do you know who compose the Jockey Club?—A. I do not know the men who are in charge of the Jockey Club.

Q. Do you know any of them?—A. I know they are men of high standing in Montreal by the names that have been given to me.

1-2 GEORGE V.. A. 1911

Q. Has there ever been any trouble or disorder in the municipality by reason of the Jockey Club being located there?—A. There has never been, to my knowledge, any trouble or disorder in the locality by reason of the operations there of the Jockey Club.

Q. You have been several times to the track, have you?—A. Yes.

Q. And everything seemed to be conducted in an orderly way?—A. Yes.

Witness discharged.

COLIN CAMPBELL, Montreal, called and sworn and examined.

By Mr. Raney:

Q. What is your connection with the Montreal Jockey Club?—A. I am one of the directors.

By Mr. Meredith:

Q. You are acting president at present, are you not?—A. Yes.

By Mr. Raney:

Q. I think you have a copy of this statement which has been handed to me, so I think it well to let you look at this. This statement shows gate receipts for the three years that the club has been in existence as follows:—1907, \$38,212; 1908, \$47,681; 1909, \$65,124.—A. Yes.

Q. And it shows receipts from the sale of what we have been referring to as advance information, that is to say, revenue from bookmakers of \$44,736 in 1907; \$51,565 in 1908; and \$76,650 in 1909, that is right?—A. Yes.

Q. Have you a license to sell intoxicating liquors on the grounds?—A. Yes.

Q. It is a regular liquor license?—A. Yes.

Q. I see you derived a revenue of \$5,540 from that source in 1909?—A. Yes, that and other privileges.

Q. That covers the restaurant privileges, that covers catering?—A. That is the whole thing with regard to it.

Q. That includes catering in the grand stand, in the club house, the men employed at the stables, in all 1,500 meals served at the course daily.—A. Yes.

Q. And the disbursements for purses in 1907 were \$77,120; in 1908, \$89,125; and in 1909, \$95,105?—A. Yes.

Q. And you say that you have a paid up capital stock to the amount of \$174,000, that is paid in cash, I understand?—A. Yes.

Q. And that your buildings alone cost you \$323,000?—A. \$325,000, is it not.

Q. \$323,000, it is here, and against that you owe \$149,000.—A. Yes, those are our cash transactions.

Q. I notice that your total receipts apparently for 1909 were \$162,535; adding the gate receipts to the receipts for the book making privileges and the receipts from a variety of other sources which you have given me here, the total appears to be \$162,535, out of which you have apparently paid, \$95,105, as has already been stated, for purses, leaving a balance of \$67,430, which of course includes the expenses of the meet?—A. Yes.

Q. And leaves, I suppose some considerable profit or surplus for the year?—A. I might say that on the three years our profits were approximately \$6,000.

Q. But for this year?—A. Yes, but against that there would be the deficits for the other two years, so that our profits on the three years are approximately only \$6,000.

Q. What was the profit for 1909?—A. I could not say because in the previous years there were deficits.

Q. But for the year 1909 alone there probably would be a substantial profit?—A. Oh, yes, certainly, because in the previous years there were deficits, and the net profit on the three years is \$6,000.

APPENDIX No. 6

Q. Do you know what the deficits for the the first two years were?—A. No, I know the net profit for three years was \$6,000 odd.

Q. I observe that for one year since you began, 1907, you apparently sold telegraphic information?—A. I saw that there, but I must say that is the first I have known of it.

Q. Did you not prepare that statement?—A. No, I did not.

Q. It was just given to you to put in?—A. The secretary prepared it.

Q. Did you know of that before?—A. No.

Q. Did the directors know of it?—A. I would not just like to say.

Q. You know what advance information means?—A. Yes, I do.

Q. That it was sold for the poolrooms?—A. I could not say that, I heard some gentleman here say that it was the news agency.

Q. You understood that it was sold to the Interstate News Agency, that is what you understood?—A. Yes, that is what I understood.

Q. That is what you understood, so you say?—A. I cannot say anything about it. I did not know of it until I saw it there.

Mr. RANEY.—We will appeal to Mr. Meredith, I suppose he will know.

Mr. MEREDITH.—I do not pretend to know anything about book-keeping, but I presume the amount received was from some such source as the Interstate News Company, as you call it, but I really did not know what the Interstate News Company was until I came to this meeting. But, to give Mr. Campbell due credit, I will say it was only done at the first meeting, and, of course, has not been done since.

By Mr. Raney:

Q. It says here that the Montreal Jockey Club sold advance information only on one occasion, namely the autumn of 1907, when it received the sum of \$1,000?—A. If that is there it is quite correct.

Q. Of course if you did not know about it, you cannot say why they stopped selling?—A. I do not know why they did.

Q. Do you know how many bookmakers there are generally on the track at Montreal?—A. Oh, it varies a great deal.

Q. How would it vary, between what figures?—A. According to the attendance there.

Q. Yes, but tell me between what figures?—A. I have seen as low as I suppose between ten and twelve.

Q. And as high as what?—A. Twenty-three or twenty-four.

Q. That is the outside limit?—A. I would not say positively.

Q. That raises a question which perhaps you will be able to explain. I notice that the gate receipts at the Woodbine were \$135,615, as against \$65,124 in Montreal, that is to say the Toronto gate receipts were more than twice your gate receipts. Yet your income from bookmakers that year was \$76,650, while there's was only \$67,700, and they had from fifty to seventy bookmakers on the ground whilst you say you had from only ten to twenty?—A. No, I did not say that. I said it varied in the three years from, I supposed, as low as ten up to possibly over thirty. I would not say anything near it.

Q. Could you explain the disparity between the income of your association derived from the bookmakers and the income derived from the same source by the Jockey Club at Toronto, having in view the fact that apparently the latter had twice the attendance as you had, and about twice the number of bookmakers?—A. Well, if I am right—I am not sure,—I think Toronto charges something like \$1.50 or \$2.00 entrance money, while we only charge \$1.00. The entrance gate money would make a difference there.

Q. Do you know anything about the Fort Erie and Windsor Associations?—A. Nothing more than that I know they are members of the Canadian Racing Association.

Q. Might I ask if you regard those associations as on a par with the Montreal Association?—A. They are all members of the Canadian Racing Association, yes.

Q. In that respect?—A. Yes.

Q. You think they are as legitimate?—A. Well, I have never visited either of them, so I would not like to express an opinion.

Q. Do you know that they are both controlled by foreigners?—A. No, I do not. I know they are both members of the Canadian Racing Association, the same as the other clubs.

By Mr. Meredith:

Q. For how long have they been members of the Canadian Racing Association?—A. Well, I think the Canadian Racing Association was formed about a year ago, if I remember right.

Q. So they have not been under the influence of the Canadian Racing Association for very long?—A. No, not any longer than since it was formed.

Q. They have only belonged to the Canadian Racing Association since the fall of 1909?—A. 1908, I think.

Q. No, since the spring of 1909?—A. I would say so if Mr. Fraser said so; he is the secretary.

Q. Now, this Canadian Racing Association consists of five clubs, I understand?—A. Yes.

Q. The Ontario Jockey Club, Blue Bonnets—that is the Montreal Club—Hamilton, Fort Erie and Windsor?—A. Yes.

Q. Since the Windsor and Fort Erie Clubs have joined the Canadian Racing Association, are the meets longer or shorter?—A. I think they are shorter.

Q. Have you had experience in judging at different horse shows, and if so, which shows?—A. Well, I have judged New York, Toronto, Philadelphia, Boston, London (England), and Galt.

Q. Which shows?—A. The International shows last year.

Q. In judging at any of these shows, does the thoroughbred strain count with the judges and with you?—A. Yes.

Q. Do you take it into consideration, does it count?—A. Well, it certainly does in all the classes I ever judged.

Mr. RANEY.—I thought we were not going into that question any more.

Mr. MEREDITH.—Well, Mr. Campbell has been kept back although he has been here all the time.

Mr. RANEY.—There is no question about the thoroughbred strain counting.

Mr. MEREDITH.—The examination on this point is very short anyway. Mr. Campbell has been here practically every day, but he has been kept back from going on the witness stand because he had to prepare these statements, &c.

By Mr. Meredith:

Q. Now, in our province you have had considerable experience with people who want to buy a combination horse. I think that is the proper term for it?—A. Saddle and harness, yes.

Q. Where do they almost invariably go from our province to buy such a horse?—A. I am sorry to say they have got to go to Ontario.

Q. Is not that practically an invariable custom in our province for a man who wants to get a good combination horse?—A. Yes.

Q. To what do you attribute that?—A. Well, the lack of thoroughbred blood in the province of Quebec, as also the other provinces except Ontario.

Q. Now, does the combination horse in Ontario bring a larger price?—A. Without a doubt. I had the pleasure of selling one at \$5,000 myself, and I would have been glad to have got one in Quebec if I could.

Q. You heard the evidence of the Hon. Mr. Beck as to the price of thoroughbred horses that were sold in the States as the result of the passing of the Hughes law?

APPENDIX No. 6

Mr. RANEY.—That is not quite fair. Mr. Beck said that the first-class thoroughbred horses never did command a better price than to-day, but the second-class and other inferior classes had fallen off in price; that is my recollection of it.

By Mr. Meredith:

Q. Were you here when Mr. Beck gave his evidence on the question of the present price of horse flesh in the States after the passing of the Hughes Bill?—A. Yes.

Q. Do you agree with him in his statement as to certain horses in the States having maintained their value since the passing of the Hughes Bill?—A. No.

Q. Have you got any instances in your mind at the moment as to the price of horses?—A. Well, I think a horse Mr. Beck bought himself, that he paid \$2,500 for, that I am satisfied in the old days he would not have got for \$10,000, a horse called Jack Parker.

Q. Have you got any other instance in your mind?—A. I have this one, if it is interesting to the committee: The province of New Brunswick, during the time that this Bill had passed and there was a great desire to sell on the part of breeders in Kentucky and everywhere in fact—there were two sales advertised amongst the many that took place, and the province of New Brunswick commissioned a man to go down there and buy some thoroughbred mares and three stallions. I think he bought, if I mistake not, seventeen thoroughbred mares and three stallions to bring to the province of New Brunswick to be sold there to the farmers, to be sold at auction to farmers, bonafide residents of New Brunswick, with a bond that those horses or mares must not go out of the province—their progeny could—with the idea of improving the breed of horses all through New Brunswick. A man was sent down there, he attended the sale, and he bought 17 mares and 3 stallions and brought them up to St. John. It was unfortunate that the day after the sale took place, if you remember, there was an embargo put upon horses coming into Canada, and although he had his car and everything ready he was unable to ship them, owing to the fact of the bars being put up suddenly, so that the horses had to be sent to a farm and kept there for two months at the expense of the New Brunswick government. When the embargo was raised they were brought up to St. John, and I happened to be there and looked them over for myself, and I think I am not exaggerating or making a wild statement when I say that two of the mares in that lot in the old days of the thoroughbred sales in Kentucky when the racing was going on at New York, would alone have fetched more than the whole lot which he bought there, and I think any horseman here will bear me out in that; the whole lot only cost \$3,500. I would like to say also, you would think nothing in the old days of paying that for one thoroughbred stallion. To show that the prices were low these mares and stallions which were brought to New Brunswick were thoroughbred, and many farmers were anxious to get them, and the sale took place by auction, the only conditions being those I have mentioned, but the sale realized more than had been paid for them plus the expense of maintaining those 17 mares and 3 stallions in Kentucky for about three months, and the New Brunswick government made a clear profit of \$800 on the transaction.

By Mr. Blain:

Q. What is your explanation of that?—A. Because of the racing having fallen off in New York owing to the Hughes' Bill being passed.

The CHAIRMAN.—I have heard it said that those very horses you speak of that were brought into New Brunswick were a very weedy, cribbed lot, and the government of the province has been censured for bringing them in?—A. I must take exception to that. I saw two mares there that any man, the late Mr. Hendrie, Mr. Seagram, Mr. Davies or Mr. Dymont would have been very glad to get for big money; I do not mean to say that out of the whole 17 you could not find fault with some. You must remember that this man was sent there, where 500 animals were being sold, and he was limited to a certain sum of money and told he must get the most he could for

that. Of course under the circumstances he must get some poor animals, he could not know what was coming next and he would have to pick them up as he could, but still I will say they were a very very good lot, with some above the average. One stallion, Herbert, was very well known in the States, having won the Suburban.

By Mr. McColl:

Q. If the same class of horses were imported from England now what would they cost?—A. Well, some of those mares would not be allowed to go out of England, it is pretty hard to buy good breeding mares in England, but they would cost very much more than they were bought for.

Q. For one of them they would probably give the whole \$3,500?—A. Yes, and as you know some yearlings have brought 10,000 guineas in England.

By Mr. Meredith:

Q. Supposing on the race tracks or around the race track of any of these five clubs that are in the Racing Association, a licensed bookmaker does something that is wrong or a jockey that is licensed by one of these clubs does anything wrong, or a horse owner does anything wrong, does that jockey club deal with those parties, do they hold an investigation and punish them?—A. Certainly they do.

Q. And what do these five clubs do in order to enforce that punishment on the tracks of the other four? Do I make myself clear?—A. Yes.

Q. Do they report the case to the Canadian Racing Association?—A. Well, in the case of discipline, that is done by one member of the Racing Association, and it is immediately reported to the Canadian Racing Association, and is dealt with by them, they are the governing body, and they either confirm, or if evidence is brought that the penalty meted out is not right they act on it, but in most cases, I think I am right in saying, that the care exercised by each racing association itself to see that any action it takes is justifiable in punishing the persons affected is sufficient for the Canadian Racing Association to rely a great deal on it, and the punishment is extended to all the other race courses which form the Canadian Racing Association. In other words the person barred off one course is barred off all the other race tracks.

Q. If a bookmaker licensed by a certain jockey club which is conducting a race meet, is found guilty of wrong doing, he is not only barred off that particular track, but he is reported to the Canadian Racing Association, and if he is really guilty he is barred off all the race tracks which are under the control of the Canadian Racing Association?—A. Unquestionably.

Q. And it is the same way with the jockeys and the same way with the horse owners?—A. Quite so.

Q. Now as to the bookmaker, can you say that you have had considerable experience in racing, you have, have you not?—A. Yes.

Q. Can you see any difference in betting between two individuals on a race track and betting between an individual and a licensed bookmaker at a fixed place on a race track, which is chartered, do you see any difference?—A. I see this difference, that in betting with the bookmaker who is in there under control and supervision and with the consent of the racing association, you are guaranteed if you win that you will be paid. Making a bet with an individual you have to take chances. The bookmaker who is there under the control of the association is practically bound to pay his debts, and to pay 100 cents on the dollar.

Q. Have you ever had any instance since the Jockey Club first started of a licensed bookmaker on the track defaulting on his contract?—A. No, not one.

Q. Have you ever had any complaint against him?—A. No.

Q. Have you known for instance of any case where a man who had bet with a licensed bookmaker had lost his ticket, but was paid his bet?—A. Yes, we had an instance of that kind this fall or last spring in Montreal, I think it was last November. The way it happened was he backed the horse and lost his ticket—

APPENDIX No. 6

Mr. RANEY.—I do not know that we want this.

By Mr. Blain:

Q. May I ask are there any complaints, or have you heard of any complaints in the case of bets between individuals who bet with each other, of the bet not having been paid?—A. That would not come to our ears, you see.

Q. I mean, did any such case come to your ears?—A. Of individual bets?

Q. Yes, have you heard of any?—A. To tell you the honest truth I do not think that there are many bets made between individuals on the race course where they can bet with the bookmaker, because whenever it is possible to bet with the bookmaker everybody will do so, it is such an easy and sure way, you are really sure that you are doing it with a man who will pay you if you win.

Q. You say there is very little betting of that kind?—A. On the race course amongst private individuals?—

Q. Yes?—A. Well, it is difficult to see it when it takes place among friends and I would not think there is much of it for this reason, that when people want to make a bet they can go to a bookmaker who has his odds published there; they can see immediately what the odds are on the horse they fancy, and they may get two to one or four to one upon that horse; but in the case of a bet between individuals it generally happens that one takes one horse and another picks another, and therefore neither of them has the same assurance of getting the full value for his money as he has if he is betting with the bookmaker.

By Mr. Meredith:

Q. Mr. Campbell, if the result of this Bill is to allow amateur, individual betting on the track and do away with the licensed bookmaker on the track, which is run and controlled by a company having a charter, do you think the Bill will result in good or evil?—A. Well, I cannot help thinking that you will have instead of the limited number of say twenty to twenty-five—no matter what the number is—of the licensed bookmaker as you call him, you will have three to one, you will have one hundred men purchasing their vocation, but doing it uncontrolled, doing it privately, going up to people in a surreptitious manner and canvassing with the result that you will have very much more betting and you will have it of a less honest character.

Q. You will have a great deal more soliciting? Can you give us any rough idea as to the moneys that are expended through the holding of these meets in Canada, these different race meets; the money that goes for instance to the transportation companies, to the farmers, and roughly speaking, the money that is spent among the merchants?—A. Taking the interest I do in racing in our own club, I have roughly figured it up myself.

Q. Did you figure it up simply from the Montreal Jockey Club meet?—A. No, the meets of the five racing associations.

Q. Could you give us such an idea?—A. It is very roughly gotten up, but I should say the amount of money paid to the transportation companies for the moving of the horses, the men, boys and help connected with the stables, and the passengers, to and from would be in the neighbourhood of \$280,000 to \$290,000 a year for the five racing associations, two meetings a year.

By Mr. Raney:

Q. That money is expended in Montreal?—A. No, I mean the cost of transportation.

By Mr. Meredith:

Q. And did you mention anything of the money that went to the farmers and merchants?—A. Yes, I figured out what one would think had been paid out considering the number of horses and help at all of these meetings and the amount of

money left in a place by attending these meetings, and I think that would figure up somewhere near \$850,000 to \$900,000.

By Mr. Monk:

Q. How much does your club leave in the locality to which the previous witnesses referred to in their evidence, the county of Jacques Cartier? Have you any precise idea?—A. It would be over one-fifth of that.

Q. One-fifth of \$900,000?—A. You see that is taking into account, as I figure, a lot of money spent in and about there. Of course the farmers and those supplying the feed get the majority.

Q. It does not include the money spent for clothes, but what has been spent for horses and the care of horses?—A. That would be a difficult question for a man not in the clothes business to say.

By Mr. Moss:

Q. You have not included that in your calculation?—A. Not clothes or ladies' bonnets.

By Mr. Raney:

Q. Might I ask you in that connection whether you have made any estimate of the amount of money laid with the bookmakers in Montreal during, say, the race meet of 1909?—A. No.

Q. I have heard the amount laid with the bookmakers of Toronto during the race meet of 1909 estimated at from \$4,000,000 to \$10,000,000. That seems to you ridiculous does it, Mr. Campbell?—A. Very.

Q. Did you ever try to figure it out?—A. No.

Q. Do you know what the average book of the bookmaker is?—A. In what way?

Mr. McCOLL.—In one race?

A. No. I heard Mr. Orpen say here the other day that some of his were three hundred and some a thousand or three thousand.

By Mr. Raney:

Q. As a matter of fact he says he handled an average of \$850?—A. I see.

Mr. RANEY.—On that basis, if these were fair samples, the total would be somewhere between four and five million dollars.

Mr. MOSS.—He said his were three times as great as anyone else's.

Mr. RANEY.—I know what he said and I take it with a grain of salt.

By Mr. Raney:

Q. On that basis the total would be from \$4,000,000 to \$5,000,000. You think that would be excessive?—A. I would.

Q. You said something about surreptitious betting?—A. I did.

Q. Do you think that persons of self respect, like yourself and myself, would bet in that way if there was not bookmaking?—A. Well, I suppose they rely upon men like you and I to support a race meet.

Q. Perhaps they would not rely upon me, I do not know about yourself?—A. In this case I would be in the same company.

Q. Would not surreptitious betting be confined mainly to persons who had acquired the betting habit?—A. At what stage of one's life do you acquire the betting habit?

Q. I am not particular about the stage; is it not so that the presence of the bookmaker is an invitation, or if you like, an opportunity to bet?—A. No, I would not like to put it that way. I would say it is an opportunity for a man to carry out what he is going to do anyway where he is safeguarded.

Q. I do not suppose you would say that everybody who goes to a race course goes with the determination to bet, would you?—A. No, a great majority do, though.

APPENDIX No. 6

Q. Of course those who have acquired the habit do?—A. Well, they may be acquiring it when they get there.

By Mr. Meredith:

Q. Do you see any difference, any particular difference, between the licensed bookmaker on the course of a chartered club and an ordinary broker?—A. Of course there are brokers and brokers. The only thing that I can see, Mr. Meredith, as I said a few moments ago, is that the bookmaker is bound to pay one hundred cents on the dollar, and I have known brokers outside whose clients were glad to get ten cents on the dollar.

Q. And you at all events see the race after you have put your money up?—A. You do, and you see your money come; in the other case you do not.

Q. You have had a good deal to do with the Montreal Jockey Club, you know intimately the people who are interested in it, and they have apparently invested the sum of \$325,000 in cash?—A. Yes.

Q. On their track and buildings; they have never paid any dividend?—A. No.

Q. The shareholders have received nothing at all?—A. Nothing. We owe \$149,000.

Q. Knowing the men who started this club, would this organization ever have been created if they had any idea that such a Bill as this would be brought before parliament?—A. I think I can say no, most positively.

Q. You believe that racing is necessary to encourage the importation and the local breeding of thoroughbreds?—A. I do.

Q. Do you believe that racing can be carried on in Canada without large purses to encourage the breeders?—A. No.

Q. Do you think we could get the purses without a large attendance?—A. No, unless the government gave subsidies.

Q. Do you see any way of getting a large attendance if licensed bookmaking on chartered race courses is prohibited?—A. No, I do not think you would get a large attendance there if people did not have the opportunity to make a bet if they wished to.

By Mr. Blain:

Q. Do you visit the New York State tracks very frequently?—A. I have not for two years.

Q. You have not for two years?—A. No.

Q. Have you any idea as to the feeling among the farmers there who are interested in horse breeding and racing?—A. Well, I have not, no.

Q. As to their feeling about the enforcement of the Hughes' law?—A. I only know, Mr. Blain, what I have read in the daily papers, and in the horse papers of the evils there.

Q. What impression have you received about it?—A. Oh well, the very great uproar there was amongst them was all against it, but the fact that the value of horse flesh has gone down since then is the great proof that it has hurt them.

Q. Were not these facts put before the legislature when the Hughes' Bill was passed?—A. Well, I think they could not very well show what the result would be then, because it was only shown after the Bill was in operation.

Q. But would not the horsemen present their views before the legislature?—A. I really would not like to say as to that; I could not say about that.

Mr. RANEY.—I am promised a record of that from Albany.

The CHAIRMAN.—The track men, I have read the proceedings, put up the exact arguments that they put up here and they issued a pamphlet giving their side of the question.

Mr. MEREDITH.—And the statements in that pamphlet, I think, have been proved by the results.

By Mr. Meredith:

Q. When you came up here first, a good many days ago, there were a large number of gentlemen who came up thinking they might be heard here?—A. Yes.

Q. Colonel Whitehead, Mr. Andrew Allan and quite a number of them?—A. Yes.

Q. And they were not heard, and you have received two or three letters from persons who it was expected would come up at the time but who could not come up?

Mr. RANEY.—Is this along the horse side of it?

Mr. MEREDITH.—No, sir, it is along the side you have been dealing a great deal with, it is the merits of the Bill.

By Mr. Meredith:

Q. I find here a letter addressed to you, which you gave me from Mr. T. J. Drummond, who is Mr. T. J. Drummond?—A. Of Drummond, McColl & Company, and he is a director of the Royal Bank.

Q. This is one of the letters you got?—A. Yes.

Q. Will you read to the committee, if the committee will allow it, what he says with regard to this Bill?—A. (Reads.)

MONTREAL, January 18, 1910.

COLIN CAMPBELL, Esq.,
Montreal Jockey Club,

DEAR MR. CAMPBELL.—I regret that I am unable to accompany you to Ottawa as a member of your delegation, the object of which I am in sympathy with.

I am not, as you know, either an owner or a backer of horses, but I feel that meetings such as those held under the auspices of the Montreal Jockey Club are the most efficacious means we know of towards improvement in the breeding of horses.

All people are not horse owners, and when they attend such meetings they take an interest to a large extent through the backing of one horse or another; and as long as there are two horses left in the world, each possessing the necessary complement of legs, just so long will racing continue; and with the racing, whether privately or publicly, legally or illegally, betting on a winner will continue and, while blue law enactments may interfere with a good object they will never eliminate whatever evils seeming or real may go with it.

As an employer I do not know of any one employed by me whose failings or downfall have been traced to horse racing.

Q. Here is another letter of date January 18th addressed to you by Mr. Herbert S. Holt, who is he?—A. He is president of the Montreal Light, Heat and Power Company, President of the Royal Bank and director of many other companies.

Q. Is he not one of the gentlemen who occupy the position, enviable or otherwise, of holding a good many directorates in the province of Quebec?—A. Yes, I think he is.

Q. Will you read that letter to the committee?—A. (Reads):

MONTREAL, January 18, 1910.

COLIN CAMPBELL, Esq.,
City.

DEAR CAMPBELL.—I find at the last moment it will be impossible for me to go up with your deputation to Ottawa to-night. I am very sorry indeed for this, as I should have liked very much to express my views before the committee on Mr. Miller's proposed amendment to the Civil Code, which, if passed, I cannot help thinking will do a great deal of damage to horse breeding and other industries in Canada as well as destroy the great pleasure horse racing gives to so many, and though not a horseman myself, I cannot help thinking it must do a great deal of good and be the means of distributing much money amongst farmers, merchants, &c., as far as the harm that betting on a horse race which we are watching can do, I fail to see, and in my experience with the number of

APPENDIX No. 6

men and employees of all classes which I have had under me all over Canada, I have never known of one single instance where any trouble or dishonesty was created by wagering on a horse race.

I trust some amendment to Mr. Miller's Bill will be made to overcome the present drastic and damaging nature of it.

Yours truly,
(Sgd.) H. S. HOLT.

Q. Now, Mr. Hugh Paton was up here to give evidence on this Bill, was he not?
—A. Yes.

Q. I want to be perfectly fair in this; he left with you a letter which he had received from Mr. Farquhar Robertson, did he not?—A. Yes.

Mr. MEREDITH.—I do not know whether the committee will allow that letter to be received, but that letter is addressed to Mr. Hugh Paton who was here as a witness, but who is not here now, and it was left with Mr. Colin Campbell. I never intended to produce any letters, because I did not think they would be allowed, but in view of the fact that letters were introduced yesterday I think these letters should go in, although I do not think any of these letters are evidence.

By Mr. Meredith:

Q. Will you read that letter?—A. (Reads):

FARQUHAR ROBERTSON,
Importer and Dealer in
ANTHRACITE AND BITUMINOUS COAL AND COKE.
MONTREAL, January 18, 1910.

HUGH PATON, Esq.,
c/o Shedden Forwarding Co.,
Victoria Sq.,
Montreal.

DEAR MR. PATON,—I regret that it will be impossible for me to go to Ottawa with you this evening in connection with Bill No. 6, an Act to amend the Criminal Code, for the reason that I have to be present at the last meeting of the present council of the Montreal Board of Trade to-morrow afternoon. I may say, however, that I am quite in accord with your views and those of our other friends interested in the Montreal Jockey Club and racing generally in Canada, that if the Miller Bill passes in its present form it will not only kill racing in Canada, but be very detrimental to the horse-breeding interests as well, which are just to-day beginning to look so promising in Canada, and I cannot help thinking that there should be some way of amending Mr. Miller's Bill which will reach the class of gambling which is harmful and will not take away the liberty of persons wishing to make a bet at races on one of our legitimate racing courses.

Yours sincerely,
(Sgd.) F. ROBERTSON,

Q. He was then president of the Montreal Board of Trade?—A. Yes.

Q. And he is a large coal merchant, but you do not know what other occupation he may have?—A. Yes, he is.

Q. Was there a letter given to you by the president of the St. Lawrence Sugar Refinery, Mr. Baumgarten, who is also a director of the Bank of Montreal, no doubt of many other industries, a letter addressed to me and dated on January 17?—A. Yes.

Q. Did he give you that letter addressed to me?—A. He did.

Mr. MEREDITH.—Would that be proper, Mr. Chairman?

The CHAIRMAN.—Yes.

By Mr. Meredith:

Q. Will you read that letter?—A. (Reads).

1-2 GEORGE V., A. 1911

· THE ST. LAWRENCE SUGAR REFINING COMPANY, LIMITED.

CANADIAN PACIFIC RAILWAY TELEGRAPH CHAMBERS,

4 HOSPITAL STREET,

MONTREAL, January 17, 1910.

DEAR MEREDITH,—I regret exceedingly that business engagements prevent my joining our other friends who are going before the committee of the Miller and the Gambling Bill. I am entirely in sympathy with the views of the Montreal Jockey Club, and I cannot help thinking that if the Bill was passed in its present form, it would do great injury to the breeding of horses in Canada and connected industries. As a large employer of men in trust, I can also say that in my experience no cases of dishonesty could be traced to betting on a race track. Believe me,

Yours very truly,

(Sgd.) A. BAUMGARTEN.

Q. Now, Mr. Campbell, were those letters you have read solicited, or did they come to you from people whom you had asked to come here as a delegation?—A. The ones addressed to me were simply written, as you will see, explaining to me why they could not come.

Q. And with reference to the one addressed to me, I had never seen Mr. Baumgarten upon the matter?—A. Never.

Q. Now, as to letters of that kind, from your knowledge of the business men in Montreal would there be any difficulty in obtaining any number from prominent business men, directors of financial institutions and people of that kind?

The CHAIRMAN.—How can he tell that?

Mr. MEREDITH.—That evidence was given this morning by somebody else. I think Mr. Raney put the question, but I want to be perfectly fair about the matter.

Mr. MOSS.—Yes, with Mr. Cowan.

Mr. MONK.—We went into that phase of it with respect to British Columbia.

Mr. MEREDITH.—I do not rely upon it because I am quite satisfied I could get the letters. Personally, I do not think the letters that have been put in are evidence. I do not intend to put others in.

By the Chairman:

Q. If you were quite familiar with the conditions in New York when the Hughes Bill went into effect?—A. I would not like to say, Mr. Miller, as far as I can think that was about a year and half ago.

Q. A little over a year and a half ago I think. Do you know whether there is any serious talk of making an effort to repeal the Bill?—A. I would not like to say that either. I have not really followed it there close enough to say that.

Q. Governor Folk, of Missouri, says there has been a similar law in force in Missouri for three years and that nobody would think of trying to attack it; do you know anything about the state of things in Missouri?—A. No. All I can say about New York, if I may, is what I hear from people who go there, who used to go there during the old state and the present, and the views they have expressed of what was really going on.

Q. But you do not know that the New York public are at all thinking of endeavouring to have the Bill repealed?—A. Well, as to that I do not. You can of course tell by the papers what the feeling is about it.

Q. Do you know that they are endeavouring to prevail upon governor Hughes, the originator of the Bill, to accept a third term as governor of the State?—A. Well, I think possibly, if I may be allowed to say so, you can generally get deputations to ask a man to do anything, can you not?

Q. I know but there is a general attempt there to get his consent to a third

APPENDIX No. 6

term.—A. I will say this: I think in New York the feeling was that it was a political move on governor Hughes' part.

The CHAIRMAN.—It seems to be a very popular move.

By Mr. Raney:

Q. I suppose you know there is a Bill before the legislature now, to which Governor Hughes is committed, to strengthen and tighten the present law?—A. He has found it necessary I suppose owing to the fact that the betting was going on just the same but not in a proper way.

Q. Did you hear me read this morning an extract from a letter written by Senator Agnew with regard to the horse industry in New York State?—A. I did.

Q. In which he said that horses at all exhibitions are as high priced, and have been a little more high priced, and also in Kentucky since the passing of the Bill than before. He ought to know, ought he not?—A. Not necessarily.

By Mr. Monk:

Q. At present we have to go to Ontario for our good horses by reason of not having the thoroughbred in Quebec. Would the development of the thoroughbred improve our position in that respect; can you emphasize that phase of the question for the benefit of the committee and illustrate the present state of affairs? Is it an advantage for us to do that?—A. Well I should say most decidedly yes, because I think the farmer in the province of Quebec, with all due deference to the Ontario farmer, if he had the material would get as much out of it. But, we have not got the thoroughbred blood there, at least not to the same extent as in Ontario. But we are getting it. There is no question but that within the last three years, since the Montreal Jockey Club started, that there are considerably more of them—mares and stallions—in the province of Quebec than there ever was before.

Q. Is it the crossing of the thoroughbred with the mares that are there at present that would bring about that?—A. That is correct.

Q. Crossing the thoroughbred with what we call the Canadian horses down there? A. The cold blooded horse. You get saddle horses, you get harness horses, you get remount horses—if you secure the right type you get a horse suitable for remounts—you get hunters; you have the fine driving horse, the buggy horse as one of our French friends said this afternoon, but you have not to have thoroughbred blood to secure this.

Q. There are a considerable number of mares down there in that province?—A. Certainly. Some of the mares could be improved upon but there are some good ones.

By Mr. McColl:

Q. Can you speak as to public opinion in Montreal regarding this Bill?—A. Yes, Mr. McColl, I think I can.

Q. What is the public opinion?—A. Very, very strongly against the Bill in its present form.

Q. Were the conditions in the different states—or we will take New York State for instance—were the conditions of racing before the Hughes Bill passed, upon the same high plane that we have in Ontario and Montreal?—A. Correct.

Q. At all the tracks?—A. I would think so from what I have heard I have not visited all the New York tracks, but I would say so, yes.

Q. I am informed that at some two or three of the tracks like Belmont Park and Sheepshead Bay they were, but at some of the other tracks it was different, and that it was that difference—probably something like what we have heard about British Columbia—that brought about the the agitation against racing?—A. Yes, that would pertain, I think Mr. McColl, to the race track not controlled by the jockey club.

Q. Yes?—A. The jockey club in New York controls certain tracks as the Canadian Racing Association does here.

Q. And those tracks that were not under the control of the New York Jockey Club were what would be called 'outlawed tracks'?—A. Exactly.

Q. And those 'outlawed' tracks got so numerous and objectionable that it was necessary to pass drastic legislation?—A. I think that was the case.

Q. I would like to ascertain from you whether this is a fact or not—I have been informed of it by a very large breeder from the other side who is still keeping up his farm—that they expect that within two years from now the laws will be changed so as to permit of betting on the race tracks, if not in the same form, in some form, so that racing will be built up again; do you know whether that is true or whether that is the expectation of the breeders?—A. I have heard that opinion expressed, and read of it also.

By Mr. Monk:

Q. There was just this question I wanted to ask you: could you make out a statement of what is expended yearly by your association among the farmers and working men of that particular district, and also what is spent there every year by your association? Could that information be compiled?—A. Yes, in three years we spent \$325,000, besides what is called the maintenance of the track, and our wage account yearly.

By Mr. Raney:

Q. You spent that for land and buildings?—A. Yes and the wages were all there; there were men working there.

By Mr. Monk:

Q. And when the meet took place you purchased hay and other things in the district?—A. Entirely.

By the Chairman:

Q. Did you give more than the market price for it?—A. I expect the farmer gets all he can out of the poor horse owner.

By Mr. Monk:

Q. How much would be spent among the farmers at one meet for what you require?—A. I suppose \$25,000 would not be wrong.

By Mr. Stratton:

Q. How many people would be on the race track each day?—A. You see we are just beginning but the French people are beginning to like it.

Q. What would be the loss of time to this, perhaps who could ill afford it?—A. I do not think anybody goes there cannot afford it. You see a man has got to pay a dollar to get in.

By Mr. Monk:

Q. When you began this race meet you were considerably discouraged, I believe, by the small attendance at first?—A. Yes, unfortunately, as our figures show.

By Mr. Counsell:

Q. There is just one question I wanted to ask Mr. Campbell; that is, in relation to the passing of the Hughes Bill. I understand that the abuse that arose from the operation of the pool rooms and hand-books was one of the leading causes that gave rise to this agitation throughout New York State; the handbooks and the pool-rooms were operating in every town in New York State and in very small places, and that was one of the leading causes which stampeded the people to the drastic measure of putting down all bookmaking. Do you know whether that was the cause or not?—A. There is no doubt that it had a great deal to do with it.

APPENDIX No. 6

Q. Was that one of the causes?—A. I only know of what I have heard, and I have no doubt from what I saw that it had the result, as I am informed, of a very material increase in the State of New York itself of the hand-books and pool rooms since this Bill was passed; I think that is a well known fact.

Witness discharged.

Mr. JOSEPH WHITESIDE BOYLE, Woodstock, called, sworn and examined.

By Mr. Moss:

Q. Will you tell us your views in regard to this Bill and how it is going to affect the horse breeding?—A. I will be very glad to do so.

By Hon. Mr. Stratton:

Q. What is your occupation?—A. Well, my direct occupation, sir, is that of miner; my father, Mr. Charles Boyle, has been in the racing business as a breeder, an owner and a racer of thoroughbreds since before I was born, I believe since 1865.

By Mr. McColl:

Q. You are a son of Charles Boyle, of Woodstock?—A. Yes.

Q. Who was a great friend of the late Mr. Pringle, of Cobourg?—A. Yes.

Q. And is he in that business still?—A. Yes. I was for a number of years connected with my father both in the breeding of horses and in the racing of them. I never had any interest in the way of owning shares in a racing association, but this last few years I myself have been, simply because I liked a good horse, interested in the breeding and owning and racing of horses. I do not have much time to see many races myself, but when I have a chance I do. In the winter, when I am not engaged in my mining business, I have the pleasure of seeing them on the snow, and that is about the extent of the pleasure I get out of them. My father, my brothers and myself, without knowing exactly, I think it is safe to say, have probably brought not less than 250 and probably nearly 400 thoroughbred mares into Canada, and I would say probably as many as 25 to 30 thoroughbred stallions, three of which I think probably are recognized as being as good if not the best stallions ever brought to Canada. They were the horses named Princeton, Springfield, who I think sired four Queen's Plate winners, and Havoc, who sired two or three. With reference to the Bill, I have only to say that I know from experience in the racing business and the effect that stopping all betting on race tracks has had on the attendance, that it apparently makes it impossible for the racing association to add sufficient money to the purses to encourage the breeding of horses. The experience in New York State under the present racing Bill shows that the enforcement of that measure was most disastrous with the result that whatever may be said of the price of horses being as good after as it was before, I can fairly dispute that statement. I bought last fall and imported into Canada seven thoroughbred fillies. If I remember rightly they cost, the seven of them, about \$3,000. I do not believe I have ever seen seven better fillies together, and I do say that three or four years ago, or before that Bill was passed, any one of three of those fillies would bring as much money as I gave for the whole lot. They were bought in New York, that is at Sheepshead Bay, where the sales are held. I am satisfied without knowing anything as to the receipts and disbursements of the racing associations, that they cannot, with the attendance they would get without betting of some sort, give purses that would enable the extensive breeding that is going on in the province of Ontario to continue.

By the Chairman:

Q. What age were the fillies you brought in for that price?—A. They were then yearlings, they are now two-year olds.

By Mr. McColl:

Q. I understand, I do not know whether it has continued up to the present or not, that nearly all the large breeding farms in Kentucky or New Jersey or Tennessee would bring the horses up to New York when they were youngsters, yearlings, and sell them there at public auction?—A. Yes.

Q. Does that practice still continue?—A. To a considerable extent, but immediately after the passing of the Bill a very great many of the breeders, particularly Mr. J. B. Haggin, shipped a great many high class brood mares to South America, and he shipped a number of mares and the pick of his yearlings to England to be sold there and they were sold there, and a number of other breeders also shipped their brood mares and yearlings to England and they were sold there, they left the country.

Q. Partly because they were going out of business, they were reducing their stock, and because under the present law in New York state they would not bring the prices they formerly did?—A. It is a matter of fact that at the sale that was held in Kentucky a very great number of brood mares were sold, and a number of them came into Canada. This country, I think benefited very greatly by the passing of that Bill in getting a lot of thoroughbred brood mares and youngsters which were bought and brought into Canada at low prices.

By Hon. Mr. Stratton:

Q. Would not the price at which you bought your fillies be a fair price for the farmer to pay for them?—A. I would not say, sir, as to the purchase of a filly by a farmer, I do not think really that a farmer is justified in buying a yearling filly for the reason that he has her only for breeding purposes, and he has to take care of her for at least two years before she is fit to breed, and it is only after they have been tested that you would want to breed from them, and in most instances they do not turn out well for racing, and it is only after those that have stood the test have been selected for breeding that then the farmers get the others.

By the Chairman:

Q. Judging from what you have said your father has been one of the most successful breeders of thoroughbreds in Canada?—A. He had been very prominently connected with thoroughbred breeding in Canada for a great many years.

Q. Since 1861?—A. Since 1865, I think.

Q. Had he bred largely as early as 1865?—A. No, sir, I think when he first started he was more in buying than racing? He did not at that time, so far as I know, have much to do with it.

Q. Not so much?—A. It has been for the last—probably of since along in the late eighties that he has been more in breeding.

Q. He has been racing continuously since about 1865?—A. Well, not exactly. There have been some years that he did not happen to breed, or have something of his own breeding, good enough to race. My father for a good many years only raced his own get and raced them in Canada.

Q. But with the exception of some years he has been at it since 1865?—A. Yes, sir.

Q. For long after 1865 there were not large purses paid, were there?—A. Well personally I have no knowledge of what the purses were at that time. I can remember as far back as—it would be somewhere about 1876 or 1877—I can remember the race meeting being held at Woodstock and I remember particularly that there was one purse of \$400 because they had a condition in the race that if Boyle's Inspiration started she was to carry seven pounds extra, and I thought it was an imposition.

Q. That was for a purse of \$400?—A. Yes.

Q. There were no bookmakers at that time were there?—A. I remember that at

APPENDIX No. 6

that time there was no such thing known as bookmaking, it was what they called pools.

By Mr. Raney:

Q. When was that?—A. Along about 1876 or 1877.

By the Chairman:

Q. Under what auspices was that race held?—A. Well, it would be under the auspices of a little racing association that was at that time in Woodstock.

Q. Did you receive much money for the betting privileges in any shape?—A. Oh, I would say that at that time there was not large money in the business.

Q. And for the pool selling the racing association would not get a very large amount of money?—A. I would say not.

Q. And still racing was positively enjoyed and carried on successfully?—A. I think they trotted a heat and ran a heat then.

Q. Alternately?—A. Yes.

Q. And probably had a good time as we have to-day.

By Mr. Raney:

Q. Is it not so, Mr. Boyle, that under racing conditions as we have them now, the thoroughbred has commanded a price for racing track purposes out of ratio to its actual economic worth?—A. Well, I would say if you based your opinion as to its economic worth on his earning capacity, no, sir.

Q. I do not mean that, his economic worth is his worth as a strain to improve the stock of the country. Now, is there anything in the thoroughbred himself that makes it necessary in order to get a good thoroughbred stallion you should pay five or ten thousand dollars, beyond the fact that whilst racing is on its present basis, a bookmaking basis, there is a competition for these horses for race track purposes?—A. I paid \$5,000 for a horse named 'Detective' last spring, and would say that if you stopped racing altogether to-morrow I would not sell him for less than that.

Q. Well, that is all right, but just to get back again to the question, is it not so, that under racing conditions as they have developed during the past twenty years, having regard to the bookmaking basis and the large prices that are offered, that the thoroughbred horse has acquired, so to speak, an artificial price?—A. He has acquired an enhanced value on account of his greater earning capacity both as a racing horse and a sire for getting horses.

Q. Chiefly as a race horse. Now, if the prices of thoroughbreds were reduced—as they would be if this false basis, as we say, were removed from the race track—the thoroughbreds would become more evenly distributed or more common in the country, would they not?—A. I do not know that that could be safely assumed. The number of high priced horses, having regard to the number of thoroughbreds there are, is very few. Of the thousands of thoroughbreds through the United States and Canada those that are worth \$5,000 each, or more, are very few.

Q. Does it not follow that if you reduced the price of thoroughbreds they would become better distributed?—A. Well, I suppose that would apply to almost any commodity.

Mr. RANEY.—I should think so. I should say that would be so; it would follow necessarily as a sort of economic principle.

By Mr. McCarthy:

Q. But if there were no racing do you think you would have as many thoroughbreds in Canada?—A. I do not know of anyone who would bring good thoroughbred horses to Canada if you did away with racing.

Q. How many people would import thoroughbreds into Canada under these very grave conditions which Mr. Raney has been talking about?—A. I would say very few.

Q. So that the men who do import thoroughbreds are racing men?—A. Yes, sir.

Q. To a very large extent?—A. I should say entirely.

Q. So that I would think that if you did away with racing you would do away with the importation of the thoroughbred?—A. I would say so.

Q. So that it would be hardly arguing correctly or logically, as my learned friend put it to you, that if you cheapened your thoroughbreds you would have them here in great numbers?—A. You would not have them here in great numbers because there would be no further importation. Those that are here would possibly be more widely distributed because the owners, the racing men, would get rid of them. Not that they would necessarily get rid of them in Canada; I do not think that is implied. If you stop racing in Canada I would be forced to ship my horses to places where there was a market for them and taking them out of Canada as the American breeders did when they shipped them out of the United States into South America.

Q. Am I correct in assuming that you personally know the prominent breeders in the United States like Milton, Haggin and others?—A. Yes.

Q. Do you know what has been the result with reference to their studs since the passing of the Hughes law?—A. They have depreciated enormously in value.

Q. Now, the chairman asked you, or that I fancy that the inference to be drawn from the question was, that because there was a smaller race track in Woodstock in 1896, at which the purse was \$100, and they had good fun at it, therefore if they had a race meet to-day with a purse of \$400 there would be the same fun at it; what would you say as to that kind of racing having regard the progress and the development of Canada?—A. I would say that as I remember the size of the copper to a small boy then, and assuming that a dollar looked as large to the man as the copper looked to the small boy, and knowing what a dollar and a copper are worth to-day, that \$400 would mean a very big purse to-day.

Mr. RANEY.—That is just what I would think.

By Mr. McCarthy:

Q. So that horse racing has progressed in the same manner as other businesses in Canada?—A. Yes, and I think it only fair also to state that at that time—as nearly as I can know from the history of racing, not from my knowledge—of places outside of Woodstock, that Woodstock was then practically one of the important racing places of Canada; and at that particular time I think it is safe to state from what I have learned since and also what I knew then of horses as a boy, that Woodstock and its immediate vicinity on account of there being a number of thoroughbred horses constantly sprinkling about, was as good a place to go to buy either a driver or saddle horse, or general purpose horse with thoroughbred blood in him as any place in Canada, and they never had higher prices. Since racing has left Woodstock that has not been the case because the only horses coming there are those which my immediate family have brought.

Q. You have a large farm there?—A. Two hundred and fifty acres.

Q. The 'Firs,' it is called?—A. Yes.

Q. That has been the property of your family for how long?—A. My father purchased part of it in the early nineties and has been breeding there ever since.

Q. And how many head of horses have you got now?—A. Thoroughbreds?

Q. Yes?—A. Either fourteen or fifteen.

By Mr. Blain:

Q. Is there any racing going on at Woodstock from year to year?—A. No.

Q. None at all?—A. No, sir.

By Hon. Mr. Stratton:

Q. Is it or is it not a fact that a great deal of the gambling spirit that has been

APPENDIX No. 6

created in the country has been caused by the racing associations endeavouring to get through the bookmakers from the public the monies that are necessary to give for the purses?—A. Well, sir, in addition to being connected with racing as I have told you, I am rather more closely connected with mining, and from what I have seen of the handling and the financing of mining stock in Toronto and in New York, I would say that the selling of mining shares——

Q. That has nothing to do with it?—A. On margin has had much more to do with the encouragement of the gambling spirit than horse racing has.

Q. Before mining was developed at all there was this gambling in the community?—A. I do not think there was.

Q. It may not have been to the same extent as it is now, but it is not a fact that the efforts of the racing association to obtain from the bookmakers the large amounts that are required for the purses has tended to create and extend the influence of the bookmakers?—A. I would say that the amounts the associations get from the bookmakers would not in any sense increase the purses to the extent that they have increased, it is the increased attendance of the public that increases the purses.

Q. The evidence before the committee, if my memory serves me right, shows that in Toronto and in Hamilton the amount received from the bookmakers for advance information is very large indeed.

Mr. RANEY.—About \$200,000 in Toronto, Hamilton and Montreal.

Mr. MCCARTHY.—Less than one-half the purses.

By Hon. Mr. Stratton:

Q. Is not that what creates the gambling spirit that attracts people to the race tracks, that the bookmaking and the betting gives the attendance, and the receipts from the bookmakers cover the large purses?—A. Well, sir, that matter will entirely be one of opinion and I would not consider myself qualified to answer that. It is news to me that they get large sums of moneys from the bookmakers.

Q. \$200,000?—A. I never knew there was any such revenue.

Q. To what extent would you agree that the evil exists to a greater extent than you thought?—A. Which evil?

Q. The gambling evil, if it be there. A.—I do not know that it exists to a greater extent than I thought, because I know that in the city of Toronto and the city of Detroit they have what they call handbooks in almost any pool room or barber shop where boys or anybody can bet when they like. As to whether that should be encouraged is a matter of opinion.

Q. If it exists to the extent that it does exist, I would like to get your practical opinion without reference to any other matter, what is your opinion of that. If any evil exists in a community caused by that what is your opinion of it.—A. As to whether this handbook betting all the year round is an evil? I would say that it is a decided evil, yes.

Q. And you would say this, that the betting through the bookmaker on the race track and the inducements that are given to him are such as to create or advance the betting privileges on the ground on the track?—A. Well, candidly, I do not just follow you. If you mean that bookmakers being there encourage the people to bet?

Q. Yes, that it encourages the people to go to the race track, and encourages the people to bet through the bookmaker, and the evil, if there be an evil, consequently exists?—A. I would say that the fact that the bookmaker is there does encourage the people to go to the race track, because they go there evidently with a desire to bet, and the best evidence is that you stop the betting the public to a very large extent stop going.

Q. Do you think it is absolutely necessary and essential for the development of the thoroughbred race horse in Canada to have these periodical race meetings at which the bookmakers attend and the public attend in such numbers, and to create in the community or to assist in creating in the community that spirit of gambling is said

1-2 GEORGE V., A. 1911

to exist?—A. I would say that to maintain the breeding of the thoroughbred in Canada even at its present standard you would necessarily have to maintain racing to at least the extent that it is now maintained in Ontario, and it is plainly evident to me that to keep up the purses they would have to have some form of betting on the race track.

Q. Then it is absolutely necessary in order to develop the thoroughbred animal to have bookmakers on the race track in order to have the public there?—A. You will have to have betting in some form.

Q. To bring about the development of the thoroughbred race horse?—A. You will have to have some form of betting in order to attract the public, and you will have to have some kind of race track racing in order to develop the throughbred.

By Mr. McCool:

Q. Do you consider the privilege of betting upon a horse race is a necessary incident to the sport?—A. I do say that it is safe to make that statement as a matter of opinion, basing my judgment on what I have seen the public do when they can bet and when they cannot. As far as I am personally concerned, if you have a race track and races and I have a horse I will run him whether I can bet or not, but I am speaking of the public.

Q. But does not the history of racing in England, France and other European countries bear out your view?—A. From what I know of England I would say it does, and from what I know of America, both the United States and Canada, I would say that apparently the expression of opinion about public betting is very much like the liquor question. Where you have the liquor properly licensed in an ordinary bar and the place under proper surveillance where they can be kept closed during proper hours, there is very little illicit business going on, but my experience has been, travelling about the country, that wherever they have prohibited the licensed hotel they have all sorts of back alleys and back rooms where they carry on the traffic, in what I would say is a much more vicious form than where they have licenses, and I think the same thing applies also to betting.

Mr. MCCARTHY.—I do not know whether Mr. Stratton intended to convey the impression that the amount received from the bookmaking privileges was in the ascendancy or not; it is not, as a matter of fact, because the statements put in show that the money received by the Ontario Jockey Club from the bookmaking privileges has for the last two or three years greatly decreased. It was as high as \$85,000 in 1906, and last year it was only \$67,000, while the receipts from the attendance have gone up tremendously, being \$135,000 in 1909.

By Mr. Counsell:

Q. Mr. Boyle, I have been informed, and I believe, that the greater part of the agitation in New York state was caused by the evils arising from the handbook and pool rooms. I want to ask you if there is any handbook in Woodstock?—A. Yes.

Q. Are there many there?—A. I do not know, but I do know there is at least one.

Q. Are there other places in Ontario where handbooks are operating?—A. I know there is one at Brantford, Ontario, and both of those books operate the year round. You can go there and bet any amount from 50 cents up on races which are run away in Jacksonville or Mexico.

By Mr. Raney:

Q. Or at Fort Erie and Windsor?—A. They are not racing.

By Mr. Blain:

Q. Do you think they should be abolished?—A. I certainly do, sir. I do not recognize that there is any evil arising from betting on the race track, but I do think that there is an evil from the betting in the handbook and pool room.

Witness retired.

Committee adjourned

APPENDIX No. 6

COMMITTEE ROOM No. 32,

WEDNESDAY, February 2, 1910.

The committee resumed at 7.30 p.m., the chairman, Mr. Miller, presiding.

Mr. BERNARD McMAHON, Chief of Detectives, Hamilton, called, sworn and examined.

By Mr. Counsell:

Q. You are Inspector of Detectives for the city of Hamilton?—A. Yes.

Q. You occupy the same position as Inspector Archibald does in the city of Toronto?—A. No, he belongs to what is known there as the Morality Department, or did.

Q. How long have you been with the Hamilton police force?—A. 32 years.

Q. How long have you been in Hamilton?—A. Nearly 36 years.

Q. Have you attended the races of the Hamilton Jockey Club?—A. Sometimes.

Q. Do you know, or are you familiar with the conditions that exist there?—A. Fairly well.

Q. Did you ever make any bets yourself there?—A. I remember making one bet.

Q. You made one?—A. Yes, some time ago, though not lately.

Q. Are you familiar with the police court proceedings in Hamilton?—A. Yes.

Q. Can you recollect or do you know of any cases that have come under your notice there, either in court or privately, in which the results that have accrued, or have happened, have been by reason of the person interested betting on the race track?—A. The two cases referred to by a witness yesterday evening.

Q. That was one case of pocket picking?—A. Yes, one, the case of Joseph Meyers, October 4, 1906.

Q. Would you be as familiar with the cases in Hamilton as Inspector Archibald would be with the cases in Toronto?—A. I could not say.

Q. Are you familiar with the cases that come before the police magistrate of Hamilton?—A. Yes.

Q. Have you talked this matter over with other members of the police force of Hamilton?—A. I have.

Q. And have you asked them if they recollect any evils resulting from persons betting on the race track?—A. Yes.

Q. Do you recollect any cases at all where men have embezzled funds as a result of betting at the race track?—A. I have not learned of any one myself.

Q. Have you examined the records in Hamilton?—A. I have, I went back for four years.

Q. You went back four years?—A. Yes.

Q. And speaking as a man generally, inspector, is there in your opinion a popular sentiment in Hamilton against betting on the race track?—A. I have not heard it expressed, not to me directly, nor have I indirectly.

Q. If there were that public, popular opinion you would be aware of it, is not that the case?—A. I believe so.

By Mr. Monk:

Q. You have, of course, in your court, cases of embezzlement, sometimes?—A. Yes.

Q. Do you make a practice of investigating where the money went, in such cases?—A. Yes, sometimes it is apparent from the evidence.

Q. Do you always do that?—A. Well, it is not done by me personally, it is done by the department.

Q. It is done by your men?—A. Yes.

Q. How many detectives do you detail to track work?—A. Two.

Q. And how many policemen?—A. I know how many there are there, but I have nothing to do with their being sent there.

Q. How many are there there?—A. I believe that during the meets of 1909 there were 8 policemen there.

Q. And they were all paid by the Racing Association?—A. Well, they do not pay me, but I understand they are paid, but I haven't anything to do with them.

Q. Do those men bet with the bookmakers while on duty, do you know?—A. I never knew of it.

Q. Would you approve of officers on duty betting with the bookmakers?—A. No.

By Mr. Moss:

Q. Have you read the Bill under discussion and before this committee?—A. No, I have not, I saw I think one section of it.

Q. We are told by the chairman of the committee that the intention is not to interfere with betting by amateurs, individual betting by amateurs.—A. Who are they?

Q. But that it is intended to make betting, professional betting, as it is called, a crime. From your experience as a police officer do you think it is possible satisfactorily to administer such a law based on such a definition as that?—A. Well, will you define for me what 'amateur betting' is?

The CHAIRMAN.—I might say that the word 'amateur' is not used in the Bill, that word is chiefly used by Mr. Moss, but it prevents the business of betting being carried on, that is what it intends to do.

Q. The chairman has told us that the Bill is intended to prevent the business of betting, but it is not intended to prevent betting between individuals if they do not make a business of it; my use of the term 'amateur' is for the purpose of distinguishing between the two.

Mr. MCCOLL.—The expression used in private betting as against public betting.

By Mr. Moss:

Q. That is not an accurate description, I think, but is there any satisfactory way in which on the race course you can distinguish between a private better or an individual better and a public better?—A. You would have to wait until we have experience, but the present system which is organized and authorized is what you would term 'bookmaking on the track.' Well, if you legislate it out of existence, then 'private betting,' as you term it, would take its place. If you drive the bookmaking out of existence you are only surmising what the substitute for it will be.

Q. What is your surmise?—A. Well call it, I will agree with the term if you like, 'private betting'; I would consider that would bring confusion, disorder and recklessness.

Q. Would that bring undesirable characters to the track who would carry on really professional betting under the guise of private betting?—A. I believe it would.

Q. Then you think the enacting of a law such as we have described would be a step in the wrong direction so far as race tracks are concerned?—A. On that particular point I think it would.

Q. What do you think of the handbook?—A. The private betters some of them, would become reckless in betting with each other something like it was in the olden times.

Q. Something like it was in the olden times?—A. Yes, when they lost their all, their estates and such like, not in this country but in the old country.

Q. Then you think it is not as bad now as it used to be?—A. That there is not as much betting as there used to be, I do not think there has been, but I do know for

APPENDIX No. 6

the last four or five years there has been to my knowledge the very best of order on the Hamilton Jockey Club grounds, generally better order than I have seen at certain other meets where the public assembled in thousands. It is only recently that at a game of football there was very great disorder and a Hamilton police officer was assaulted, but I have no recollection of any instance where the like of that occurred on a race track at Hamilton.

Q. Then what do you say about the handbook men and the pool room, do they exist in Hamilton?—A. Yes. I consider the handbook man and his subordinate, I suppose you may call him, the fellow who has no place but only walks the streets, I consider them notorious.

Q. You mean that they are an evil to the community?—A. They certainly are.

Q. And you think anything ought to be done, that could be done successfully, to crush them?—A. Yes, sir.

Q. Would that apply on the race track as well?—A. No, sir. Wherever you have racing you will have betting in some form or other. We have always had, and I do not think it can be legislated out of existence, private betting or whatever sort of betting it is.

Q. From a moral standpoint do you see any difference between a man who bets with a bookmaker and two individuals betting privately one with the other?—A. I do not. From a moral standpoint I would say that the man who would go up and lay a bet with the bookmaker is committing no greater offence than the individual who would turn around and make a bet with the next man to him.

By Mr Raney:

Q. Do you see any moral difference between the making of bets with a handbook man and making a bet with the bookmaker on the race track?—A. It is all shrouded in mystery, it is underhanded, they are against the law. The handbook man——

Q. Just answer my question: do you see any moral distinction between laying a bet with a handbook man and laying a bet with the bookmaker on the race track?—A. Yes, sir.

Q. What is the moral distinction?—A. The moral distinction, according to my belief, is that the man who lays his bet on the track, open and above board, does not care who sees him do it. In the other place, he sneaks unknown to the public, unknown to his family, unknown to his employer especially, and while his money is going that way, and as long as no one interferes with him he will continue to do that until he becomes a wreck financially and otherwise.

Q. That seems to satisfy your point of view?—A. That is my opinion.

Q. Is it necessary that a man who wants to bet with the handbook man should do it as a sneak, because I am told that under the law as it stands, there is no doubt about it, the handbook man can ply his business quite openly upon the street, so that I can place my bet with him and be guilty of no offence. Assuming that is so, assuming that I can go down to the next street corner, meet a handbook man and place my bet with him there, do you see any moral distinction between that and placing a bet with the bookmaker on the race track?—A. He is hiding——

Q. How do you know he is hiding at all, he is doing it publicly on the street?—A. I am giving you my opinion on that point.

Q. I am not asking that, is it a fact?—A. I do not know it.

Q. Can you see any moral distinction in that case?—A. I was giving you my opinion.

Q. Supposing it is done on a street corner and that the handbook man is there legally, do you see any moral distinction between betting of that kind and betting with the bookmaker on the race track?—A. Well, there is not very much difference.

Q. No, I would not think there was any at all. Then what did I understand you to say about the impossibility of enforcing the law against making books?—A. I did not say so.

Q. What did you say?—A. About making books on the track?

1-2 GEORGE V., A. 1911

Q. Yes, do you see any difficulty about enforcing the law against bookmaking on the race tracks?—A. You can enforce the law to prohibit it, sure.

By the Chairman:

Q. You can enforce the Bill, if it is passed, do you think?—A. You can enforce it if it is made more workable than some of the Acts that cover gambling.

By Mr. Raney:

Q. Because I may tell you, Mr. Detective, there is an Imperial Act passed only three years ago which makes bookmaking a criminal offence.

Mr. MCCARTHY.—On the race track?

Mr. RANEY.—I did not say anything about the race track.

Mr. MEREDITH.—Let us know where it is? You are putting a question to the witness on the strength of it?

Mr. RANEY.—My learned friend knows the Act, I have no doubt.

Mr. MEREDITH.—No, I do not.

Mr. RANEY.—I apprehend, Mr. Chairman, there is no more difficulty in enforcing a law against bookmaking on the race track than there is on the street corner.

Mr. MEREDITH.—Tell the witness that; you are a lawyer.

Mr. RANEY.—I am not taking instructions.

The CHAIRMAN.—You had better go on, Mr. Raney, and never mind interruptions.

Mr. MONK.—Is there such a law in England?

Mr. RANEY.—I have sent for a copy of the statute. The word 'bookmaking' is used in the Act referred to.

Mr. MEREDITH.—Let us see the book, I would like to see that book.

Mr. RANEY.—I will show it to you.

By Mr. Raney:

Q. Then, Inspector, you do not see any difficulty, or rather you would not apprehend any difficulty, in enforcing a law against bookmaking, if such a law were enacted?—A. If it were passed in such a way that it was made workable. For instance—

Q. If we had it in plain English—

Mr. COUNSELL.—'For instance,' finish the answer, Mr. Inspector.

The WITNESS.—For instance, several cases of gambling have come into our courts, and it is well known, where you have to prove a 'rake off' to get a conviction.

Mr. RANEY.—That is not the same principle at all.

The WITNESS.—Well, that could be avoided, and of course the other Act—

Mr. MEREDITH.—In the presence of this committee I would ask Mr. Raney to let me see the decision which he has stated has been given in England, and I would ask to have that decision taken down and put on the records of this committee. I do not believe, as a lawyer, at all events of some practice, that such a decision has been given in the sense that Mr. Raney has given it.

The CHAIRMAN.—Mr. Raney did not say anything about a decision at all. He said that an Act had been passed and he stated that he had sent for the book.

Mr. MEREDITH.—I want to see the Act then.

Mr. MCCARTHY.—Have you finished with the witness, Mr. Raney?

Mr. RANEY.—I want to satisfy Mr. Meredith.

(Copy of Imperial statutes produced.)

Mr. MEREDITH.—Read clause 2.

Mr. RANEY.—If my learned friends please, we will take one at a time.

Mr. MEREDITH.—Read it.

Mr. RANEY.—(Reads): 'Chapter 43, Imperial Acts, 1906: Any person frequenting or loitering in streets or public places on behalf of either himself or any other person for the purpose of bookmaking or betting or wagering'—and so on.

APPENDIX No. 6

Mr. MEREDITH.—In the public streets.

Mr. RANEY.—That is not a point I am questioning at all. My question had reference to the difficulty, as I apprehended, the question of enforcing a law against bookmaking. My point was that here is an Imperial statute which does not define bookmaking. My learned friend himself has been harping on this subject ever since it began about the difficulty of defining what a bookmaker was and the difference between a professional bettor and an amateur bettor. We have the word 'bookmaking' here without any definition of it. So I said, and I repeat, that there would be no difficulty in construing the word 'bookmaking' as used in this statute.

Mr. MOSS.—What you said was there was a law in force against bookmaking.

Mr. RANEY.—I did so say.

Mr. MOSS.—This is a law against frequenting or loitering in the streets or public places, not a law against bookmaking at all. 'For the purpose of bookmaking or wagering'; quite a different thing.

By Mr. McCarthy:

Q. Mr. Raney spoke of a man stopping on a public street, or in a public place, and in a public way making a bet with a hand book man. Is it in a public way if one individual stops another has a conversation and makes a bet? Of the surrounding people who are going to know anything about it; can you explain that?—A. No, I cannot explain it.

Q. Now, on a race track if a man goes up to bet with a bookmaker he goes in a public way, everybody sees what he is doing and everybody knows what he is doing if they care to watch; is not that so?—A. Yes.

Q. So that in making a bet with the hand book man on the street corner he is not doing it in a public way, that is your answer to the question that preceded Mr. Raney's? Am I right in that?—A. Yes, you are right.

Q. Now, Mr. Raney quoted the Imperial statute, section 2 of that Imperial statute says 'nothing contained in this Act shall apply to any ground used for the purpose of a race course for racing with horses, or adjacent thereto, on days on which races take place.' Is it your opinion that that Imperial statute is wise in so enacting?—A. Yes.

Q. If that were not permitted there would be what under this Bill they call individual betting, and that would, in your opinion, be more demoralizing than betting publicly with the bookmaker on the track while the races were in operation?—A. I believe it would be more demoralizing.

By the Chairman:

Q. How do you distinguish a bookmaker on the track now at a race meeting?—A. From his signs and proclamations.

Q. From his signs and proclamations? If this Act would prevent him showing his signs and making his proclamations it would not be possible for him to carry on a very large betting business, would it? If he were prevented from making his signs and proclamations it would be very difficult for him to do his betting, would it not?—A. He would do it in some other way.

Q. How?—A. He could be a private bettor.

Q. But could he without anything to distinguish him, do any large amount of business as a private bettor?—A. I think so.

By Mr. McCarthy:

Q. There is nothing under this law, is there, according to your intention to permit private betting, to prevent a man going on the race track and saying to another, 'I will bet you \$10 or \$20 or \$25,' as the case may be, and he could make that offer to as many people as he liked?

The CHAIRMAN.—I think so, if he made a practice of it, decidedly so.

Mr. MCCARTHY.—If he chooses to carry his bets in his mind?

1-2 GEORGE V., A. 1911

The CHAIRMAN.—I think so, if he makes a business of it, it should catch him.

Mr. McCARTHY.—Mr. Miller puts a question to the witness and suggests that the bookmaker under this law is going to be forbidden to make any kind of proclamation or advertisement or anything of that kind; he cannot make a proclamation or he cannot put a slate up or announce himself as a bookmaker, but is he prevented from standing in a crowd and saying, 'I am willing to bet \$50,' to any person or to a dozen persons?

The CHAIRMAN.—I think if he travels from one track to another as a bookmaker, if he does that from day to day he would come within the Act.

Mr. MONK.—You maintain it would have to be proven that he made a business of it, being on the track, I think, would not be sufficient.

Mr. McCARTHY.—It struck me, with all respect and deference, to be an unfair question to tell the witness that this Bill prevented a man from making a proclamation of the fact that he was willing to make a bet. The chairman said he might make one, two or three proclamations, but if he follows the races from day to day he would come under another section of the Act which would define him to be within the meaning of the words 'make a business of gambling or betting.'

Mr. MCCOLL.—Then there is the other point referred to that the Bill is not intended to prohibit a horse owner from betting on his own horse. The horse owner might attend the different tracks, he might make that his business and as a part of his business he goes around looking for a man to make a bet with, what would his position be?

Mr. RANEY.—Is not that a subject for argument after we get through with the evidence?

Mr. COUNSELL.—I think it is essential to the understanding of this Bill that the committee should have some idea of what the business of gambling is to consist of.

The CHAIRMAN.—I think the committee will consider that before they dispose of the Bill.

Witness discharged.

WILLIAM MERRITT, called, sworn and examined.

By Mr. Raney:

Q. Where do you live?—A. Gwillimbury Township, County of York.

Q. You are a farmer?—A. I am.

Q. You were one of the Grand Jury for the County of York, at the sittings of the Court of General Session in June last?—A. In May and June.

Q. And the Grand Jury made its presentment?—A. Yes.

Q. And this is the presentment signed by you as foreman? (Document produced)

A. That is my signature.

Q. I will read the presentment so far as it appertains to the matter in hand:

Race Track Gambling and Advertising.—We beg to call attention to the mania for gambling which seems to have seized our public and to the glaring inconsistencies of the laws which permit the public practice of this evil. Why it is any more wrong to place a bet in a cigar store than on a race track the most careful moralist might find it hard to answer. We certainly cannot determine the difference. Yet the fact remains that the poor man who cannot afford to lose time from his employment and to pay \$1.50 admission fee is denied the privilege which is freely granted to a gullible public on the race track. Is it because fashionable society are the offenders oft-times there, or is it because the wealth represented in these institutions has terror for the law-makers? When we learn of the dishonesty which is born of race track gambling, the hardship which comes upon many a home through the folly of the father or mother, the disgrace which follows many a young person's 'get-rich-quick' efforts, when,

APPENDIX No. 6

worst of all we awaken to the tolerance of public opinion to institutions which have so outraged public sentiment in other countries that they have completely prohibited them, we fear not only for the good name of our fair country, but for the moral honesty without which no nation can maintain her prosperity or her safety. We have no serious quarrel with the horse race as a sport, but we have strong conscientious convictions concerning the legal permission of such betting practices as are so generally carried on with the kind of advertising which offers daily in this city 'tips' to all dupes who will buy.

We have observed that the States of the American Union which lie next to the province of Ontario have all adopted radical and stringent laws for the prevention of racetrack gambling in every form. We regret to note that the absence of equally effective laws in Ontario seems to be attracting the race-track gamblers of the States to the Ontario tracks, especially at Erie and Windsor. There is danger of our province becoming known throughout the United States as the 'Race Track Gambler's Paradise.'

We sincerely hope that an awakened public opinion will compel such legislation as will make it impossible for any race track or other sporting institution to continue its existence if betting be at all permitted in connection therewith. And may we not look for some legitimate prevention of such disgraceful gambling advertisements as are being offered to the public in one of our daily papers.

May I ask what paper you refer to?—A. I think it is the 'World' newspaper.

Q. The Toronto 'World' (reads):

We regret very much that necessity also compels us to ask that some representations be made to Our Gracious Sovereign King Edward, and his Canadian representative, our much esteemed Governor General, asking that they withhold their patronage and presence from all such institutions as permit public betting upon their premises. For, undoubtedly, this is one of the strongest factors in the popularity of these institutions and at the same time gives a glamor of respectability which results in disgrace, hardship and dishonesty to many who would otherwise escape these perils.

It might seem superfluous to suggest to the public that the professional book-maker is neither in the business for the good of his health, nor for the purpose of distributing fortunes to the public.

Now, have you a list of the grand jurors who participated in that presentment?—A. Yes.

Q. Will you read it, give their names, occupations and residences, if you have it?

—A. I do not know that I can give all their residences.

Q. Well, give what information you have?—A. There is my own name as foreman; Edward Coltham, Aurora, farmer; Albert Dale, merchant, Toronto; Mr. Dayment, clerk, T. Eaton Company, Toronto; R. English, grocer, Toronto; Warren Feegan, merchant, Toronto, and Thomas Frizzell, contractor and builder, Toronto; George Gowanlock, manufacturer, Toronto; G. Morrison, farmer, Markham township; Peter Wardlaw, farmer; Fred. Wesley, farmer; Archie McCallum, gentleman; George High, gentleman. Mr. McCallum lives in the town of Aurora; George High lives in Toronto.

Q. If I recollect there were four farmers and the rest of them were Toronto men?—A. Five of them were farmers.

Q. Making altogether—A. Thirteen.

Q. Can you tell me who drafted the presentment?—A. Well, we divided up the work among the different members of the Grand Jury. This particular part was under—well we have committees. Mr. Feegan of Toronto was the chairman of that committee.

Q. For drafting this particular thing?—A. Yes. I forget the other member. He had a bit and so had I myself.

Q. Was this presentment the work of the Jury itself?—A. Well, I could not say.

Q. So far as you know?—A. So far as I know they brought in their different parts.

Q. This committee brought in its portions and the Grand Jury adopted it?—A. Adopted it.

Q. As a whole?—A. Yes.

Q. And that was so with the other portions, I suppose, brought in by the other committees?—A. Yes.

Mr. RANEY.—Then I also put in, Mr. Chairman, and I am going to ask permission to take away the original from the file to which it belongs, but I will leave copies, a copy of the presentment of the Grand Jury of the Court of General Sessions of the County of York for September, 1906. I will read one of the paragraphs which relates to this matter. (Reads):

‘We note with a degree of pleasure that among the indictments brought before us there were but few charges of the more common or coarser forms of crime, our attention having been largely occupied with cases relating to the vice of gambling in one or other of its forms, indicating the existence and spread of an evil tending to undermine the moral character of many young men of the community. This is a matter somewhat difficult to deal with by the courts, but we sincerely hope that the effort now being made to eradicate it will be successful.’

Q. Have you any of the copies of the advertisements that the grand jury had before them when this matter was under consideration?—A. I have some short ones, just some short headings, but I understood from the Librarian here that we could get copies of the papers that were in the library.

By Mr. Blain:

Q. Are they confined to advertisements in the *Toronto World* altogether?—A. Yes, I think so, the *Toronto World*.

Mr. RANEY.—That is the only Toronto paper that publishes them.

By Mr. Blain:

Q. Do you think that the *Toronto World* is the only newspaper published in Toronto in which these advertisements appear?—A. I do not know, sir.

By Mr. Stratton:

Q. The only really guilty paper?—A. I could not say.

Mr. BLAIN.—I asked the question for the reason that we have had similar advertisements presented here in the other daily newspapers in the city of Toronto, the *Globe* and *Mail*. That is the only reason I asked the question.

By Mr. Monk:

Q. Do you know if there was anything in the Judge's charge referring to this particular matter?—A. I do not remember that there was.

Q. There was not?—A. No, I do not think so.

By Mr. McCarthy:

Q. Who was the Judge that charged the grand jury?—A. Judge Winchester.

Q. You do not think he referred to this question at all?—A. I do not remember that he did, sir.

Q. Then how was it brought to the attention of the Grand Jury?—A. Well, it was a question that was agitating the mind of the public at that time, and some of the members of the Grand Jury, those living in the city, they were the ones that brought it to the notice of the Grand Jury as a whole.

Q. I see. Now, unfortunately, I have not got the name of the paper, but I have an extract here which I would like to read to see if it would check your memory. Judge Winchester, speaking to the Grand Jury, is reported to have said (Reads):

APPENDIX No. 6

‘I am not opposed to betting,’ concluded His Honour. ‘There is no harm in betting itself, but it is the unfortunate example. Betting is not in itself an offence or crime. A man can bet without sin, but it is because of the bad example it sets that it should be suppressed.’

Do you remember that, or anything like that?—A. What date was that?

Q. June, 1909?—A. Well, we made our presentment I think—he made his charge to the jury in May and we were sitting about four weeks; it may be in answer to our presentment.

Q. Well, do you remember that?—A. I know he commented on it.

Q. And that is about what he said?—A. I could not remember. It was something like that, I should say.

Q. Was the Crown Attorney in consultation with the Grand Jury from time to time when you were considering this question?—A. Oh well, I don't know that he was when we were considering this question.

Q. Well, he was from time to time?—A. Oh yes, in connection with the cases.

Q. Did you hear any evidence on the subject of betting on the race tracks?—A. No, sir.

Q. Have you ever been at the Woodbine track in Toronto?—A. Never.

Q. Did any of the gentlemen there say they had been?—A. I think they did, yes.

Q. Who were they?—A. I could not say now.

Q. You could not say?—A. No, I could not say at all.

Q. It did not impress itself upon your mind, at all events you did not pay much attention to this particular part, as I understand it?—A. I paid attention to it, of course.

Q. You did not devote your particular attention to it?—A. No, sir. I had another part of the presentment.

Q. Did you draw with your own hand the part of this presentment that was assigned to you?—A. Which part?

Q. Whatever part you had; I understand you were in charge of one part?—A. Chiefly.

Q. Did you draw it up with your own hand?—A. Part of it I did.

Q. Who helped you?—A. A friend of mine in Toronto.

Q. Who were the exact men who had to do with the betting end of it?—A. I do not remember the committee, only the chairman of the committee, that is Mr. Feegan.

Q. He was on the jury, was he?—A. He was.

Q. Where did he come from?—A. He lives on Queen street, Toronto.

By Mr. Raney:

Q. What is his business?—A. Boot and shoe man.

By Mr. McCarthy:

Q. Did any witnesses appear before you on that subject?—A. No, sir.

Q. Well, where did you get the basis for this presentment; you had never been on the race track?—A. No, but those men who had that part were conversant with the subject.

Q. I beg your pardon?—A. I suppose those men that had that part were conversant with the subject.

Q. Then did you not exercise your own individuality in reference to this matter at all?—A. I did on voting on it; we were unanimous on it.

Q. These gentlemen brought in this dissertation on the subject and you supported it?—A. I did so.

Q. Tell me, where did you get the information enabling you to support it; there was no evidence taken, you had never been on the track yourself and yet you came to these conclusions?—A. I do not understand your question, sir. Repeat it please.

Mr. McCARTHY.—The stenographer will read the question.

Question read.

The WITNESS.—Well, I understood from the other members who were on the jury, although of course I read the papers the same as the others—and from a general observation.

By Mr. Raney:

Q. Even if you are a farmer, Mr. Merritt?—A. Yes, sir.

Mr. McCARTHY.—That was quite unnecessary, nobody said anything about his being a farmer. He is quite an intelligent man, a man who is evidently telling the truth.

By Mr. McCarthy:

Q. Now, as a matter of fact your committee did your work, Mr. Feegan's committee did its work, and you all came together, and one accepted the other's work?—A. Well, in a way, yes; of course we used our own judgment on it.

Q. How did you reach a conclusion, or let me get at your mind, if I am right that you exercised your mind on this Bill at all; how did you reach a conclusion that it was right to bet in a cigar store, or you argue in that way, 'Why it is any more wrong to place a bet in a cigar store than on a race track, the most careful moralist might find it hard to answer.' What mind did you exercise on this subject?—A. I do not understand you.

Q. Well, I will put it another way. Would you consider it, as a moralist, wrong to have in a cigar store, a betting room going on every day of the year, that it was worse from a moral standpoint than betting in the open on a race track while the race is going on for two or three weeks in the year. Which would you consider the worst from the standpoint of the moralist?—A. I do not think it is different in that way.

Q. Then you have a mind on the subject, now answer my question. How did you reach that conclusion, or why did you put it that way?—A. I do not think either is right.

Q. You do not think betting in any form is right?—A. Not in that way, no.

Q. In what way do you think it is right?—A. It would not be the right thing at all.

Q. You are opposed to betting in any shape or form, whether it be on the track or off the track, or in respect to cards or in any form whatsoever, that is your standpoint, is it not?—A. For myself, yes.

Q. And you cannot see any difference between betting in a cigar store every day in the year and betting on the track while the race is in progress?—A. Well, I do not think it runs every day in the year.

Q. The fact is that betting in the cigar store goes on, you have heard the evidence here, let me put it to you then, I want to get your mind on the subject, assuming the cigar store to be in operation 300 days in the year and the race track 13 days in the year, do you not think the cigar shop would be a great deal worse than the track?—A. I think it would, putting it that way, but in an equal number of days I do not think it would.

Q. 'When we learn of the dishonesty which is born of race-track gambling; the hardship which comes upon many a home through the folly of the father or the mother, the disgrace which follows many a young person's get-rich-quick efforts, when worst of all we awaken to the tolerance of public opinion to institutions which have so outraged public sentiment in other countries that they have completely prohibited them, we fear not only for the good name of our country, but for the moral honesty without which no nation can maintain her prosperity or her safety.' Upon what is that based? What dishonesty did you learn of, that enables you to make that presentment? What dishonesty was presented to the Grand Jury?—A. I do not quite understand that.

Q. 'When we learn of the dishonesty which is born of race-track gambling'?—A. Yes.

Q. What dishonesty did you learn of as born of race track gambling?—A.

APPENDIX No. 6

We did not take any evidence or try to learn it, but I believe there has been dishonesty.

Q. Well, there has been dishonesty in other walks of life, has there not?—A. A good many, most of them.

Q. There has been dishonesty in dealings by shopkeepers, brokers, real estate men and every walk of life, has there not?—A. Yes.

Q. You would not shut down the storekeepers because a man in that business had cheated you?—A. I think there has been dishonesty in most every calling, particularly in the legal profession.

Q. You have had some experience in that, have you?—A. I have, a little, yes.

Q. What kind of lawyers have you dealt with?—A. I have not had a great deal to do with them.

Q. Now, that is a very, very clever remark you have made. Is the statement you have just made as to the lawyers of the country as true as the statements in the presentment you have made? Now, upon what did you base your judgment?—A. Perhaps I was just a little jokey in that.

Q. Well, that is a cheap joke from my standpoint. Do you think the legal profession are particularly dishonest?—A. No, I do not.

Q. Well then we will get along, you think there is not more dishonesty among lawyers than among ordinary individuals in the ordinary walk of life. Now you succeeded in getting me off the track rather. You had no particular evidence upon which to base that portion of your presentment. Now you say, and I would like you to explain what was in the mind of the Grand Jury when they made this presentment, 'Yet the fact remains that the poor man who cannot afford to lose time from his employment and to pay \$1.50 admission fee is denied the privilege which is freely granted to a gullible public on the race track.' Did you want to make betting more free and more accessible so that the poor man could go and make his bet if he wanted to? Is that the idea you wanted to convey by that presentment?—A. Well, I cannot say that I considered that very closely.

Q. Then you come to the conclusion, 'Is it because fashionable society are the offenders oft-times there, or is it because the wealth represented in these institutions has terror for the law makers?' Now, was it in your opinion that fashionable society that may or may not be at those races are offenders of any kind, is that your idea?—A. I think they help to make it——

Q. Now, tell me, please——

Mr. RANEY.—Let him answer the question.

By Mr. McCarthy:

Q. But how are they offenders, go on?—A. I think the more fashionable society, those in higher life that are going to places of that kind, they help to make them more popular.

Q. Yes, but you say they are offenders oft-times, offenders of what kind? Only by making it more popular?—A. Some are worse than others attending there.

Q. Well, but offenders of what kind, are they offenders in going there at all, are they offending you mean because they go there, is that the idea?—A. Just read that again.

Q. 'Is it because fashionable society are the offenders oft-times there, or is it because the wealth represented in these institutions has terror for the law makers.' Now, is it because fashionable society are the offenders oft-times there?

Mr. RANEY.—That is the question the Grand Jury asked.

Mr. MCCARTHY.—But why did he ask it?

Mr. RANEY.—Perhaps because he did not know.

Mr. MCCARTHY.—You are making a very suggestive answer for him.

By Mr. McCarthy:

Q. What is the basis of that, can you tell me? I want to get at it, I am not

trying to argue with you but I want to get at what the basis of this is, you are the father of it, although you did not prepare it you signed it, what did you; go on? Did you mean to insinuate that the fashionable society that went there offended in any way and if so in what way?—A. Well, in making it more popular.

Q. Well, then, do you complain of that if their influence raise it to a higher standard or to a higher level? Do you not want the conditions there bettered, is that what the Grand Jury meant?—A. We meant popularizing anything that is wrong.

Q. Is horse racing wrong?—A. No, it is not, not in my opinion.

Q. It is not in your opinion. Then if they go there and popularize horse racing are they offenders?—A. Are they offending?

Q. Yes?—A. I do not take it that way, I do not read it that way myself.

Q. You ask the question, 'Or is it because the wealth represented in these institutions has terror for the law makers'? Do you charge that the law makers were being prevented from doing their duty by reason of the wealth that attended the races? Is that the impression you intended to convey there?—A. That is another query, I think.

Q. Why did you ask it? It is cleverly drawn, it is food for the public, and intended for that, I take it, but why was the question asked?—No answer.

Q. Can you give me any information on that subject?—A. I cannot, sir, more than I have.

Q. Was it presented to your Grand Jury that by reason of the wealth that may or may not attend these races, that the law makers of this country were terrorized?—

A. Was it presented to us?

Q. Yes?—A. There was no evidence, no.

Q. Was it presented to you in that shape or form, evidence or no evidence?—A. That was the belief of the—

Q. Belief of the Grand Jury of the county of York sitting in the city of Toronto?—A. Not that it was terrorized, the law—

Q. No?—A. That question was asked.

Q. And that is all that it means. You just asked the question?—A. Just a query like.

Q. Now did anybody, while you were discussing this clause about the disgrace which follows a young persons' 'get-rich-quick' efforts, discuss as to whether there was any other form of gambling than the race track gambling by which young people endeavour to get rich quick?—A. Was there any discussion?

Q. Yes?—A. I don't remember.

Q. That was confined entirely to the race track betting, was it?—A. Yes, sir, the Grand Jury was unanimous on it.

Q. Now what particular Grand Juror explained these things to you to enable you to become unanimous; who did most of the talking?—A. I don't remember. Mr. Feegan was the leader, as I say, the chairman of that committee and other gentlemen—that is the city gentlemen, they seemed to be conversant with the subject.

Q. But you do not remember the names of any one of them except Mr. Feegan?—A. I think Mr. Frizzell and Mr. Daymond of the city men had something to say about it particularly.

Q. And which was convey to you as the greatest evil, the betting on the race tracks or these other things that you complain of, 'the kind of advertising that offers daily in this city "tips" to all dupes who will buy,' or the handbook and the pool room?—A. Well, the handbook man. I do not understand this at all, you know, but those are the men on the street.

Q. Those were the men you were more particularly anxious to get at?—A. They were the men that they had the most talk about.

Q. Do you remember whether just about that time there had been some hand-book arrests?—A. I don't remember.

Q. You told Mr. Raney that you had some advertisements that were submitted;

APPENDIX No. 6

would you let me look at them?—A. (Producing memorandum book). There are quite a few things in that book and my return ticket.

Q. These are your notes, are they?—A. Yes, just taken from the—I went and got some when I went to Toronto, before I came here. I knew I would be questioned.

Q. You went to the newspapers?—A. Went to the newspapers.

Q. Here is one on June 2: 'Jog along. It is easy when you know how to get a sure winner. This one to-day will be 20 to 1. Dickson & Company will win sure.' These are just extracts, they are not exact copies of the advertisements, are they?—

A. Exact copies so far as they go, sir. I think we can get a copy of the paper.

Q. I think we can without any trouble, so we will not bother you about that. These were the papers, as you remember, were before you at that time?—A. About those dates.

Q. And you found those advertisements?—A. I went to the *World* office.

Q. And found those there? Now, those were the only things that were presented to you in the way of documentary evidence?—A. Which.

Q. Those advertisements?—A. Well, those were the only evidence.

Q. And there was no verbal evidence outside the Grand Jury themselves?—A. No, sir, we took no evidence.

Q. Do you not think if you just try to remember that you can tell me who suggested this presentment being made?—A. Which, of the Grand Jury?

Q. Which of the Grand Jury, where did it come from?—A. Mr. Feegan.

Q. Mr. Feegan seemed to be the moving spirit in the subject?—A. That is right.

Q. Did the other five men you spoke of seem to know any more about the subject than you did?—A. They would not know very much if they did not, because I knew very little about it.

By Mr. Blain:

Q. Did I understand you to say that the copies of these advertisements were before the Grand Jury?—A. Yes, sir, they were in the daily papers at that time, that is what brought it to the notice of the Grand Jury.

By Mr. McCarthy:

Q. And that is the only documentary and the only evidence of any kind? Can you satisfy me as to that; do you or do you not know whether these other four gentlemen from the county of York knew as much or any more than you did upon the subject?—A. I think likely they knew more; I should imagine they would.

Q. And they could not know much less, is that it? What I want to get at is did they participate in the discussion, did they show any knowledge of the subject or just acquiesce just as a matter of form?—A. There was some talk, more or less.

Q. And that is as far as you can go?—A. Yes, sir.

Q. You cannot give me any definite information as to what any of them said and who said it?—A. I could not, but I know the city men were the men who took the leading part in it.

By Mr. McColl:

Q. You do not live in the city of Toronto?—A. No, sir.

Q. How far from the city do you live?—A. Forty-five miles.

Q. And I understand you to say that so far as you are personally concerned, you are opposed to betting in any form?—A. I would not bet myself.

Q. You would not bet, yourself?—A. No; I have no objection to others doing it.

Q. You would not have any objection to other people betting if they wished to?—A. No.

Q. I understand that you personally know nothing about anything that takes place at the races at the Woodbine?—A. No, sir; nothing personally.

Q. You were never there?—A. Never there.

1-2 GEORGE V., A. 1911

Q. And you do not know of your own knowledge of any abuses having occurred at the races?—A. Only from what I heard others tell and read in the papers.

Q. Then I suppose all the people in the country in your neighbourhood are in about the same position as yourself?—A. No, sir.

Q. They are not?—A. No.

Q. Then they know something more about it than you do?—A. Yes. There is a man living in our township that had one of the fastest horses in the county, I guess.

Q. Trotting or running horse?—A. Trotting horse.

Q. I am confining my remarks at the present to the Woodbine. There is no man there that has a running horse?—A. No.

By Mr. Monk:

Q. I would like you to tell the committee if you can possibly remember, who finally put these questions upon which you agreed into the shape in which it is to-day?—A. Mr. Feegan brought it there typewritten.

Q. He brought it there typewritten?—A. Yes. The committee—each committee acted separately. I had charge of the part that dealt with intoxicating liquors, the drinking question, myself, and he and his committee had charge of that.

Q. Well, did not someone put it altogether at the end; Mr. Feegan, as I understand it, had only to treat of one part?—A. Oh, certainly.

Q. Well, who put it altogether?—A. Well, it is generally some of the—it is typewritten. We gave them all the documents. I have been on grand juries twice or three times.

Q. Was it one of the officials of the court who finally put it in to this phraseology?—A. Oh, no, not in phraseology, but typewritten.

Q. You can't remember who it was got it in the shape it is to-day, who put the phrases in?—A. Yes, it is part my own.

Q. It is not in the usual form of presentment in our province?—A. It is not? I think it is, we had other presentments before us to copy and to look over, and it is very much the same form as the others.

Q. It is in the phraseology, it has that literary style which we do not have in our province, it is couched in peculiar language, you know, literary language which we do not usually see in the courts.

Mr. RANEY.—This document is framed just as any other document of the same kind may be.

Mr. McCOLL.—Do I understand that an ordinary farmer coming from the country gets up a document like that? I have had farmers on the grand jury in my county come into my office to ask my assistance in preparing their presentment.

Mr. RANEY.—I hope that in this country it is possible to get on the grand jury men of a great deal of eminence and of literary taste; I have seen men on the grand jury of a great deal of eminence and a great deal of financial ability, and of high social standing?—A. Have you the presentment that was made before that, part of that is in my own phraseology.

By Mr. McCarthy:

Q. Did you sign one of the petitions that were circulated in reference to this Bill?—A. I do not remember, I should certainly sign it if it came my way.

Q. You do not remember whether you did or not?—A. I do not remember whether I did or not, or whether I had a chance to or not.

Mr. RANEY.—It has been suggested to me that I had something to do with the preparation of this presentment. I never saw or heard of it until I saw it here. It has also been suggested that the Clerk of the Peace did so, and I asked him about it, but he said he had never seen it nor had anything to do with it.

By Mr. Blain:

Q. Do you see any difference, from a moral standpoint, between racing at the

APPENDIX No. 6

Toronto Exhibition and racing at the Woodbine? Or it would be better to put it between racing on a trotting track and racing on the Woodbine; I do not know whether it is running or trotting races at the Toronto Exhibition?

Mr. RANEY.—Trotting.

Mr. McCARTHY.—Both.

Mr. RANEY.—Not the last couple of years.

By Mr. Blain:

Q. Do you see any difference between trotting on the track at the Toronto Exhibition and trotting on any ordinary race course in the province of Ontario?—A. I would think there was, because there are prizes given, I think, by the Agricultural Association.

Q. From the moral standpoint, what do you think is the difference?—A. I have no objection to seeing a horse race if it were not for the gambling.

Q. What is the difference from a moral standpoint, is there any difference, leaving out the gambling? I was assuming there is betting at the Toronto Exhibition on the horse races, which I know there is to some extent.—A. It would not be as bad; I suppose there is betting.

Q. But the betting is not to the same extent?—A. No.

Q. But if there is any betting at all at either, is there any difference? A. No, I do not think there is.

By Mr. Monk:

Q. You mention that a friend assisted you in drafting that part of the presentment dealing with the liquor question?—A. Yes.

Q. Have you any objection to stating to the committee who that was?—A. I would rather not.

Q. Would you prefer not to mention the name?—A. Part of that is my own phraseology.

Q. Here is a suggestion I will read to you. 'We regret very much that necessity also compels us to ask that some representations be made to our Gracious Sovereign King Edward and His Canadian Representative, our much esteemed Governor General, asking that they withhold their patronage and presence from all such institutions as permit public betting upon their premises. For undoubtedly this is one of the strongest factors in the popularity of these institutions, and at the same time gives a glamour of respectability which results in disgrace, hardship and dishonesty to many who would otherwise escape these perils.' Was that a suggestion of Mr. Feegan's committee or was it by Mr. Feegan himself, or was it yours?—A. That came in that form before the committee; it was all talked over, but each committee brought in their own presentment.

Q. You think that was a wise suggestion?—A. I think it was.

By Mr. Sinclair:

Q. Did you send a copy to the Governor General?—A. It would have weight, I suppose, if we did.

Mr. McCOLL.—The manner in which the King patronizes the Woodbine at the present time is by giving a special prize known as the King's Plate for the best province bred horse.

Hon. Mr. STRATTON.—Which he does not contribute at all; it is contributed by the government of Great Britain.

Mr. McCARTHY.—No, it is the King's private purse.

Mr. McCOLL.—That is the only way in which His Majesty in a personal way patronizes the Woodbine.—A. That is the Canadian races.

By Mr. Monk:

Q. I would ask your opinion, would you now, as a Canadian, an Ontario citizen,

recommend to the King that he discontinue that special purse known as the King's Plate?—A. If it were confined to that purse I would think it would be a good thing.

Q. But under present conditions as they now exist would you feel like recommending to the King to continue that purse?—A. If I were King I would not.

Q. And if you were King you would not own race horses and race them as the King does in England?—A. I would, if I could purify it, yes.

Q. By that you are saying that things are not pure. Will you just tell me what you know, of your own knowledge, that is not pure in racing in England?—A. Just what I have read and what all the authors tell, authors that I have confidence in.

Q. You do not know anything personally?—A. Personally, I have not been there. I told you so, but I see the evils of it all the same.

By Mr. Blain:

Q. Do you see any difference from a moral standpoint between two men betting one with the other on a race course and one of them betting with the bookmaker on a race course?—A. Well, if I understand the bookmaking I think that it would be worse; yes, I think there would be more done in that way.

Q. But in the individual, and from the moral standpoint?—A. Oh, no, not to my way of looking at it.

Q. There is no difference?—A. No, sir, I would like to see—perhaps I hadn't better say anything.

Q. Yes, I want to know?—A. I would like to see the day when horse racing was put on a right basis, and I think that as the government are spending so much money in developing other things they might spend some money to develop even horse racing, that is my humble opinion.

Q. What would you suggest?—A. That they should give purses.

By Mr. McColl:

Q. In other words they should encourage horse racing?—A. If they could eliminate the gambling of to-day.

Q. And any shortage that there might be in the gate receipts by reason of the prohibition of betting you would let the government make it up?—A. Yes, I do not say in what way, but let it be worked out; they spend thousands and thousands of dollars in developing other industries, and why should they not develop that?

Q. If you could get the money from the government to do that you could improve horse racing?—A. I believe I could.

By the Chairman:

Q. You are a farmer, in York county?—A. I am, sir.

Q. I suppose you raise horses as a part of your farm operations?—A. Yes.

Q. Do you consider that the farmers of Canada generally and the horsebreeders of Canada generally would be injured by passing a Bill that would entirely do away with bookmaking, race track gambling, would that injure the horse breeders and the farmers' interests?—A. I do not think it would hurt them very much, it might hurt a few.

Q. Do you think it would hurt them at all?—A. It would hurt those who have fast horses.

Q. But it would only hurt that portion?—A. Yes, of course, I think it needs racing to develop them.

Q. That is to develop them for speed purposes?—A. Yes, but not for farm purposes.

By Mr. Counsell:

Q. You drafted that part of this presentment relating to the liquor question?—A. I did.

APPENDIX No. 6

Q. Was that drafted at the close of the sitting of the Grand Jury?—A. I brought that in and presented it to the Grand Jury.

Q. There are some facts given here; It says that the public records of the city of Toronto show that a certain number of persons were arrested there last year for being drunk and disorderly. Where did you get that information from, was it from the gentleman who assisted you to draft the presentment?—A. No, I got it from different sources

Q. Who was that gentleman?—A. If the Committee wishes I will tell them. I would sooner not though.

By Mr. Stratton:

Q. We will leave it with yourself?—A. Well, I prefer not.

By Mr. Counsell:

Q. Was it the same gentleman who gave you the information that assisted in drafting that?—A. Part, and part is my own phraseology. I can tell you which is mine.

Q. Did the same gentleman who assisted you in drafting your part assist Mr. Feegan in drafting his part in reference to gambling?—A. No, he did not.

Q. Do you know positively that he did not?—A. No, I do not know positively. I do not know who assisted Mr. Feegan.

Q. You do not know who assisted Mr. Feegan?—A. No, I do not.

Q. You do not know that the same gentleman did not assist him?—A. I do not.

By Mr. Monk:

Q. Did somebody assist him?—A. I do not know.

By Mr. Counsell:

Q. You do not know whether he was assisted or not?—A. I imagined he was, although I do not know.

By Mr. Moss:

Q. Why do you object to telling who assisted you?—A. I prefer not to.

The CHAIRMAN.—I think perhaps there may have been some official who gave him the figures, and Mr. Merritt may think he may be blamed for having done so.

Mr. MOSS.—I do not want to get anybody into trouble.

The WITNESS.—I have answered the questions pretty fully.

By Mr. Counsell:

Q. It was not an official of the court?—A. No sir, it was not.

Q. It was an official of the police department?—A. That is where it came from.

Q. I knew it came from there, but it was not an official of the police department who gave it to you?—A. No, sir.

By Mr. Monk:

Q. It was an outsider altogether?—A. The man was well posted, I can tell you that.

Q. But he did not belong to the Force?—A. No.

By Mr. McColl:

Q. Is the man who gave you the information here personally?—A. No, he is not. I do not think he is.

By Mr. Meredith:

Q. The Grand Jury prepared this presentment, did it not?—A. Yes.

Q. You had four committees, had you not?—A. Well, I just forget.

Q. Well, how many were there, you must remember, you were the foreman?—A. I cannot remember everything, even if I was foreman.

Q. Had you not four?—A. I do not know. If I looked over the presentment in full, I might.

Q. Well, look at it.

Mr. RANEY.—If my friend wants a disclaimer from Dr. Shearer, he can give it.

Mr. MEREDITH.—He perhaps was the influence.

The WITNESS.—A great deal of this is very formal, it is what appears in almost every—

By Mr. Meredith:

Q. I am just asking you how many committees there were that dealt with that particular presentment?—A. There was one for the institutions, one committee, one for the liquor part of it, and one for the race track gambling. I cannot say very well. There were three at least and the other part of it is what appears in almost every presentment. There was one part of it suggested by Judge Winchester.

By Mr. Blain:

Q. What part was that?—A. Congratulations on the appointment of a junior judge.

By Mr. Meredith:

Q. How many committees do you say there were?—A. Three.

Q. You are not sure there were not four?—A. I am not sure; I don't think it makes any difference.

Q. Is it not a fact that each committee brought in the results as to their own particular branch and those results were accepted by all the other committees?—A. Accepted, certainly.

Q. They were?—A. They were discussed though.

Q. I know. But they were all accepted?—A. Well, it was talked over before and discussed pretty fully and then it was put into phraseology.

Q. Let us understand each other?—A. Yes.

Q. There were committees appointed and the committees took up the different branches, and each committee brought back the result; is it not the fact that each of the findings of these special committees was adopted by all the members of the jury?

A. They were not at first.

Q. Well, what was the exception?—A. That part I had to do with.

Q. What was that?—A. I did not put it strong enough, they said.

Q. That was the part as to intoxicating liquors?—A. Yes.

Q. Apart from that they were all accepted?—A. I don't remember. That part I remember, because that was my part.

Q. Tell me whether they were or not to the best of your recollection, apart from the liquor question?—A. I say I do not remember, but I do remember about that.

Q. Now, before this presentment was signed, and before it was put into typewriting, I presume it was written out in long hand; as a matter of fact, is that not always done?—A. Written with pen and ink?

Q. Yes?—A. That is the main part of it, some of it—

Q. Then it was typewritten?—A. It was typewritten after that.

Q. But before it was put into typewriting was it not written out in long hand?—A. Oh certainly.

Q. Before you signed it?—A. No.

Q. When it was brought to you finally, was it not in ink?—A. No.

Q. Before it was put in typewriting?—A. I never signed it until it was put into typewriting.

Q. But before it was put into typewriting was it not brought to you written in ink?—A. Part of it was and part was typewritten. One committee brought—

APPENDIX No. 6

Q. Who brought it to you to sign; you were the foreman, you must have approved of it, who brought it to you?—A. Well it was given to the officials to typewrite and it was brought back.

Q. You are the foreman, you must have read it over?—A. I certainly did, sir.

Q. Who brought it to you?—A. I do not remember. It was there left on the table when we came there.

Q. Who framed it, who drafted it before it was put into typewriting, who brought it into the final shape before it was put into typewriting for you to sign?—A. It was just as I say. It was brought in by the different committees.

By Mr. McColl:

Q. Was it brought into the office?—A. Why certainly.

Q. In sections?—A. In sections.

Q. And those were put together on the typewriter?—A. Certainly.

Q. That is what I would infer?—A. That is what it was.

Witness discharged.

Mr. DAVID HUGH CHARLES, called, sworn and examined.

By Mr. Moss:

Q. You are manager of the Bank of Commerce at Peterborough?—A. Yes.

Q. I think you have had more or less to do with breeding of horses all your life?—A. Yes.

Q. You have been a breeder and owner of horses?—A. Yes, not of race horses though.

Q. But you have bred other horses, half-breeds, haven't you?—A. Yes.

Q. I do not want to labour over the ground which has been covered so often, you agree with what other witnesses say that the thoroughbred strain is essential to the light horse breeding of the country?—A. I do most thoroughly.

Q. Do you agree with what they have said that it is essential for the preservation of the thoroughbred strain there should be racing for the thoroughbred?—A. I do.

Q. And have you been in the habit of attending the races during a number of years?—A. Yes.

Q. On the Woodbine and other tracks?—A. The Woodbine and Hamilton.

Q. And are you a betting man yourself?—A. I never bet a dollar on a horse in my life.

Q. Have you been in the habit of going about the track, in the betting ring and all about the track?—A. Yes.

Q. And you are fairly familiar with the conditions that prevail there?—A. Yes, I am.

Q. What do you say about the conditions at the Woodbine?—A. I think everything was conducted in a very regular way, I saw nothing out of the way.

Q. And does the same apply to Hamilton?—A. The same to Hamilton.

Q. You have read this Bill?—A. I glanced over it.

Q. You understand the purport of it?—A. I am beginning to find out I was a little astray on it.

Q. What do you say if the Bill passes in such form that it legalizes betting between private individuals, but prohibits professional betting in bookmaking or in some other form, do you think that would be an improvement or the reverse?—A. I would rather see the bookmakers kept on, retained, than have individual betting surely.

Q. For what reason?—A. In the first instance the association control the bookmakers, they are under control; in the second instance they can be limited in number and in the third instance they are kept in one place. Now if I go to a race course personally, as I said, I am not a betting man, I never bet any, but lots of people will simply bet when it is brought up to them; they will not take the trouble to go down to the betting ring, but if bookmaking is prohibited these professionals would be there

like wolves in sheeps' clothing, they would be going around all over the track, they would not be known, and there would be solicitation of all kinds, that is my belief, that lots of men who would not otherwise go down to the betting paddock would be approached by these men walking around and be solicited to bet.

Q. Then you think it is possible to carry on racing without betting?—A. In the present situation I would not. I think that man is a betting animal, he will bet upon anything almost; in fact we are always betting upon things whether we mean it or not. The way I look upon it is that I am betting with a life insurance company when I take out insurance. They bet I will live a certain time and I bet that I will not. That is really what it comes to. And if I buy a piece of property, in other words I am just simply betting that that property is going up in value, I would not buy it if I thought it was going down. So that I do not think if you had betting put off altogether that you would get the people as a rule to go to the race course, because although they like to see the horses run, human nature is there and they like to have an interest in a certain horse. I think nine men out of ten simply go there to see the horses gallop, and they want to pick out a horse and have an interest in that horse, personally I go to watch the races.

By Mr. Raney:

Q. You are somewhat of a philosopher on gambling?—A. In what way?

Q. You have given examples of the philosophy of gambling in insurance and in real estate?—A. Yes, call it philosophy.

Q. And you think that life is all a chance and that we are all gamblers?—A. Well, a good deal of it.

Q. And you do not see any distinction between taking out a fire insurance policy and betting on the track with the bookmaker?—A. Under certain conditions they are pretty much the same.

Q. But you see no difference between them?—A. There is a difference, of course.

Q. What is the difference?—A. Well, the difference is that you do not see the fire until it comes, but in the other cases why you see the horses run.

Q. Do you approve of bookmaking?—A. Well—

Q. You can answer that yes or no?—A. Well, that is not a fair question, it is not a fair way to put it.

Q. All right?—A. There are lots of things that I do not approve of, and still I might be of big enough and broad enough mind that I do not want to put my opinions upon other men. That occurs everywhere.

Q. Having said that, tell me, do you approve of bookmaking or not?—A. Well, I do not bet.

Q. Having said that, tell me whether you approve of bookmaking or not?—A. I have stated, Mr. Raney, that I do not think you can get horse racing to go unless there is betting.

Q. Having said that, tell me whether you approve of bookmaking?—A. Well, then I approved of it in this way that it is the best way to have the betting conducted.

Q. If there is to be betting you approve of it in that way?—A. Yes.

Q. Do you approve of the pool room?—A. No, I do not.

Q. You regard that as absolutely bad?—A. Absolutely bad.

Q. You draw a distinction between the pool room and betting on the track?—A. Pool room is usually gambling, a man does not see the horse he bets upon or anything else, he goes there to gamble; when betting on a race course the man goes there, he sees the horses and he sees what he is doing.

Q. Does he always see the horses?—A. Yes, he does, I think so.

Q. Would you be surprised to learn that according to the definition given by eminent authorities betting on the horse races is gambling?—A. Yes, I would be.

Q. That is the definition that is given in a very well known book, 'Words and phrases defined.'

APPENDIX No. 6

Mr. Moss.—Let us have the book.

By Mr. Raney:

Q. Would you be surprised to learn that betting on horses is gambling?—A. Well it is not any more gambling than other gambling that goes on.

Q. Is it gambling?—A. I have heard it stated that it is gambling, but I call it betting.

Q. Do you deny that it is gambling?—A. I do not understand what definition you want.

Mr. Moss.—That is not quite a fair way to put it, the Court of Appeal of Ontario has decided that betting is not gambling.

The CHAIRMAN.—But surely Mr. Raney can get the opinion of this witness.

A. Mr. Chairman, I am not a legal man and cannot define these things closely.

By Mr. Raney:

Q. But you are a philosopher?—A. That is a good thing to be isn't it, sometimes?

Q. Do you approve of the handbook man?—A. I do not.

Q. You think he is absolutely bad?—A. He is.

Q. Absolutely bad?—A. Yes.

Q. Might there not be something in what the Grand Jury say in their presentment? They practically say that the poor man who cannot afford to pay his \$1.50 to get into the Woodbine track might be entitled to make a bet if he wanted to just as well as wealthy men, like yourself, who go to the Woodbine?—A. Excuse me, I am not wealthy, and I do not bet.

Q. Is there not something to be said in favour of giving the poor man a chance to engage in betting with the bookmaker without paying \$1.50 admission fee so that he may have some pleasure as well as the banker who can go to the Woodbine and can pay the admission fee.—A. Mr. Raney, I will answer it in another way.

Q. Just answer it in that way.—A. I will argue—

Q. I do not want you to argue it, answer the question?—A. Now, the poor man—we have heard a good deal about the poor man lately in Peterborough, we have been running a local option campaign there—

Q. Do not give me a sermon?—A. I am not giving you 'a sermon, you do not need it. I argue that the poor man, in the first place if they are going to carry local option in a place they should rule out everybody, they should not make it so that the poor man could not get it if he wanted it while the wealthy people could—

Q. Did you come here determined not to answer any questions except those put to you by your friends?—A. No, I cannot answer your question as you put it.

Q. Do you object to the man who wanted to make a bet without paying \$1.50 admission fee having the privilege of doing so?—A. I do, in this way, that a man going to the pool room or the handbook is simply making a bet on something that he knows nothing about and does not see.

Q. You think you know what is good for him more than he does himself?—A. Yes, I do, in that case, because he does not know anything about it.

Q. Supposing he goes into the betting ring at the race track where he can't see the horses at all?—A. Have you ever been in the betting ring?

Q. Answer my question. Supposing he goes to the betting ring where he cannot see the horses at all?—A. Any betting ring I was ever in is about the only place you can see the horses.

Q. Some witnesses say they cannot see the horses there?—A. Unless you see it for yourself you cannot say anything about it.

Q. Admitting this, do you see anything wrong in a man going to the race track and betting with the bookmakers?—A. No, I do not.

Q. Nothing at all wrong in that?—A. If his conscience lets him do it, he can do it, that is the way I feel about it. I do not want my opinions crushed down his throat.

1-2 GEORGE V., A. 1911

Q. You are manager of the Bank of Commerce?—A. Yes.

Q. Has that institution any rule with regard to its employees playing the races?
—A. No, not that I know of.

Mr. COUNSELL.—What do you mean by playing the races?

Mr. RANEY.—Will you let me alone with the witness please?

The WITNESS.—I will just answer you in this way; I have been in the Canadian Bank of Commerce for a great many years. I have gone to horse races ever since I came to Canada. I never was asked one question by the Head Office whether I bet or whether I did not bet. Now, there I gave you the only answer you would want, my own personal knowledge.

Q. You kept on the right side of the line?—A. It does not matter.

Q. If the Bank of Commerce had a manager at Peterborough if you like—who was in the habit of going to Toronto and playing the races there, say every day of the meet, and was known to be playing the races heavily, do you think his situation would be secure?—A. Well I do not think we have a manager who would do it.

Q. Will you answer my question? Would his situation be secure with the bank? A. It would be the same way if he were gambling with stocks, just the same way.

Q. Would his situation be secure?—A. Not if he were making a fool of himself.

Q. Not if he were betting on horses?—A. Not if he were making a fool of himself. Would you call betting on a horse putting up a five dollar bill on him, anything extraordinary?

Q. Do you know of any manager of a Bank of Commerce who bets on the races?
—A. Yes I know nearly every one of them and they put a few dollars on.

Q. That is a good advertisement for your bank managers?—A. Well, there are bank presidents who do it.

Q. Then it is a good advertisement for the presidents?—A. There are lawyers and judges who do it, too.

Q. Supposing you had to choose between two men for a position, one of whom you knew was in the habit of playing the races, whilst the other was not in the habit of doing that and there was nothing else to choose between them; other things being equal which would you take?—A. It would depend altogether upon what you mean by playing the races. Now do you mean by that putting up a whole lot of money that was not his own?

Q. I mean going to the races and making bets with the bookmakers?—A. It would depend upon who the money belonged to and how far—

Q. I am not saying who the money belonged to?—A. And how far he was going. Supposing he only put up five or ten dollars down?

Q. Five or ten dollars down?—A. I would not blame him for it.

Q. You would not blame him for it?—A. Not a bit.

Q. That is how you would make your choice between the two?—A. In fact I would rather do that, because I would know that he was doing it openly, but I would not know what the other fellow was doing. If he were going to bet a thousand dollars I can tell you he would not be long with me.

Q. You know, I suppose, from your experience something of the practices of financial institutions?—A. Yes, I do.

Q. Perhaps you heard me read to-day an extract from a letter written by Mr. Macaulay, General Manager of the Sun Life Assurance Company?—A. Yes.

Q. Of Montreal, you know who he is?—A. Yes.

Q. You heard the letter, did you?—A. Yes, I heard it to-day.

Mr. MONK.—Subject to the approval of the chair, do you not think we have gone sufficiently into this part of the case? This committee has been sitting nearly all day to accommodate witnesses from a distance and this part of the case I think you have exhausted.

The WITNESS.—I just want to tell Mr. Raney this: in all my experience of bank men in our bank, and it extends over a great many years, only one man went wrong

APPENDIX No. 6

through betting on the races and he got into the pool-rooms; this is only one man in all my experience. But we have known, unfortunately, that a bank went all to pieces from the general manager gambling in stocks. There is the difference; the one broke the bank and the other broke himself.

By Mr. Raney:

Q. I understand you to say that you think it would be highly objectionable if people were allowed to go about the race course inviting one another to bet?—A. I think so, because you would not know how many were doing it.

By Mr. McColl:

Q. I think that in all these questions that have so far been asked, particularly by Mr. Raney, the distinction has not been drawn between betting with handbook men and betting with bookmakers on the track. Do you understand that horse racing is considered a sport?—A. Yes.

Q. The man who goes to the race track presumably to attend the races goes there for the sport, for the day's outing?—A. For a day's outing.

Q. The betting that takes place by that man with the bookmaker on the race course is an incident to the sport that he goes to participate in?—A. Yes, that is what I think.

Q. That is it exactly. But the man who goes to the handbook operator, or the pool rooms, that does not see or does not enjoy any sport, goes there with a different purpose altogether?—A. He is going there to try and make some money.

Q. In a gambling way?—A. Yes.

Q. It may be considered a pure gambling transaction and in the other case of laying a bet with the bookmaker on the race track an amusement, or if you like it, a gamble, incidental to sport?—A. That is what I think.

Witness discharged.

Mr. O. B. SHEPHERD, called, sworn and examined.

You have had some interest in trotting horses?—A. Yes, sir.

Q. For a number of years?—A. Forty.

Q. Have you been a breeder of trotting horses?—A. Yes, sir.

Q. You have imported them?—A. Yes, sir.

Q. And sold them?—A. Yes.

Q. You also raced trotting horses?—A. Yes, sir.

Q. In the trotting meets that are held throughout Ontario is it a custom to have betting to your knowledge?—A. Yes, sir, generally speaking.

Q. Not invariably?—A. Not invariably, but generally.

Q. And what are the exceptions, the country fairs?—A. Well, the exception, there are scarcely any exceptions where betting is not done, but the one principal exception is the Toronto Industrial Exhibition. There is no betting done there openly.

Q. In the other cases it is all open?—A. In a great many of them it is done openly.

Q. You have read the provisions of the proposed Bill?—A. Yes, sir.

Q. In your opinion what effect would that have on the light harness horse industry?—A. I think it would have a very harmful effect.

Q. Will you explain that?—A. Well, I do not think in the first place that the light harness horse can be successfully raised without racing. That is, every horseman in America to-day believes in the development of the theory that like begets like and that if a well-bred developed mare is bred to a well-bred developed horse that you would get a better animal than by breeding in any other way, and that you cannot get a well developed sire or dam except by racing or developing them.

Q. Then you feel that if that Bill went through there would not be the same incentive to breed standard-bred horses?—A. I certainly do.

1-2 GEORGE V., A. 1911

Q. What effect would it have upon the amount of purses given at the various meets in the province?—A. The purses that are given to-day could not be given if that Bill went through and betting were prohibited unless the government came forward and supplemented the purses now given by an amount that would be equal or about equal to the amounts that are now paid to the different associations for the privilege of betting.

Q. That is for the reason that the amounts paid for the betting privileges are contributed towards the purses?—A. Always.

Q. Are the purses in the trotting meetings made up in the same way as they are for the running meets?—A. The purses given by the associations, the entry fees in trotting associations are very much larger than in the running associations. The hunting associations might have a purse of probably \$500, with an entry fee of \$5; the trotting associations will give a purse of \$500 with an entry fee of \$25, and the four winning horses would have to give \$25 more.

Q. So that actually the winners of the race would have to contribute a large amount of the purse?—A. A very large amount of the purse.

Q. In your opinion is the trotting, the light horse industry, throughout Canada, a large or important industry?—A. It is one of the largest, I think, in the country, very much larger than the thoroughbred.

Q. You would compare it in that way with the thoroughbred?—A. Yes.

Q. Is the capital invested in the light harness horse industry very much greater than that in the thoroughbred?—A. Very much.

Q. Does the Canadian standard bred horse compare fairly with that of any other country?—A. Yes, according to the population and the length of time we have been raising standard breds, in comparison with the nation to the south.

Q. And Canadian standard-breds have held their own in the United States?—A. Either from a racing standpoint, in which they have done particularly well, or from a show standpoint.

Q. Is there any handbooking in connection with the trotting meets?—A. Not to my knowledge. I have never seen a handbook in connection with any trotting association meet in Canada or in any other place.

Q. Did you ever know or hear of a handbook in connection with foreign trotting races?—A. No.

Q. Are there any tipsters or touts in connection with trotting meets?—A. None whatever, as far as I am aware.

Q. Are there any offensive advertisements in connection with the trotting meets?—A. I have never seen one in any paper to my knowledge.

Q. Is there anything you could suggest that would improve the formation of trotting associations and the holding of trotting meets on the methods used at present?—A. Yes, I would suggest, if I had to suggest anything, that all speculation be legalized so that people could do that which they do without being under the ban of the law, and thus keep the law and improve the racing by making it respectable.

Q. As a matter of fact, to your knowledge, has there been any interference with the betting on any of the tracks where there have been trotting meetings?—A. Yes.

Q. There has been interference?—A. Yes.

Q. Frequently?—A. Not frequently, no.

Q. It has been in exceptional cases?—A. Exceptional cases, an exceptional case, as a matter of fact.

Q. Roughly speaking, can you tell me how many tracks there are in Ontario?—A. I could not tell you the exact number, but there must be, I should think, from 130 to 150.

Q. Can you tell me, roughly, how many meets there are during the year?—A. Each one of those tracks holds one meet and some of them two meets, one in the spring and the other in the fall, besides that there are innumerable agricultural fairs throughout the country which have trotting meets as their principal attraction.

Q. So there would be as many as 300 trotting meets?—A. Including the fairs?

APPENDIX No. 6

Q. Yes?—A. I should think there would be.

Q. Would there be 400?—A. I should think there would be 400, including the fairs, and not including the ice meetings.

Q. Have you any information in regard to other provinces in regard to the trotting meetings?—A. I have not, but I know that in the western provinces in every little town they are getting up their trotting association and holding a meet under similar conditions to those held in the province of Ontario. I do not think that the owner of a horse betting on his horse is gambling at all. I do not think it is gambling, I do not think it is any more gambling than for the architect who lays out a building and furnishes the material, the brain work, to guarantee that he will have the building finished in a certain time. A man owns a well-bred mare, he knows what lines she is bred on, and knowing that he selects a stallion with certain qualities, he takes the colt in charge from the moment it is dropped, he educates it, trains it, and at the proper age he probably tries it himself so that he knows its capabilities. It is not a matter of chance at all, it is a matter of brains, a matter of intelligent breeding, that is, he is breeding from a developed dam and a developed sire, and the man who has bred intelligently in that manner, who has educated and developed that colt, and is equipped with a better sulky, better harness and who thoroughly understands the colt and can drive it better than anybody else, I believe that when that man goes into the race there is no element of chance in it, it is brain power, he knows what he can do.

By Mr. Ross:

Q. You think the best way is to let the owner that bets on his horse bet through the bookmaker in a decent regular way?—A. Yes, that he could go up and bet and would not be afraid to do so, that he could feel in backing his own horse that he was a gentleman and was not doing anything that was wrong or that he would not have to do it on the sneak.

Q. When you speak about a man getting information from the owner of the horse or a friend what you mean is that a man should know something about a horse when he bets on it?—A. Yes, if it were not for that very fact that there is rivalry, trotting horses would never be developed at all but for the keen rivalry that exists between men to get the best horse.

By Mr. McColl:

Q. A keen rivalry to produce the best horse?—A. It was rivalry that produced the greatest two horses that ever stood up in the United States in the keenest combat that the world has ever known, Uhlan and Hamburg Belle, which were the distinct product of the two greatest families the world has ever known, that is the Wilkes' family and the Electioneer, the one with the record of 2.01½ and the other 2.02½. One sold for \$40,000 and the other for \$50,000, but death intervened in the case of one of them and now the owner is erecting a monument that will probably cost more than any horse is worth in Canada to-day to the memory of the breed.

By Mr. McCarthy:

Q. Did you say how many of those race meetings took place in Ontario?—A. I could not say definitely, but there is a very great number.

Q. You have been at a great many of those tracks?—A. Yes.

Q. What class of people attend there?—A. The most intelligent class of people, quite a number of farmers, principally farmers.

Q. Who are the people that organize these race meetings at towns such as Stratford, Hamburg, and many other places?—A. They are the best people in town, and very often you will see the mayor of the town president of the club and the merchants of the town subscribe liberally because they think it helps business.

Q. On each one of these tracks there is pool selling or bookmaking?—A. Generally bookmaking.

1-2 GEORGE V., A. 1911

Q. And do these bookmakers pay for the privilege of making the books?—A. It goes to the fund of the track.

Q. And in the various towns the merchants of the town are fully aware of that fact?—A. Always.

Q. They could not finance the meeting without?—A. Not unless the government gave them a grant. It helps business if there is pool selling or bookmaking.

Q. Now, that covers places like Stratford, St. Marys, Listowel, Ailsa Craig, Hanover, St. Thomas, Barrie, Orillia, Collingwood, and places of that kind?—A. London and dozens of other places.

Q. Those are places that you know of and you are speaking from personal knowledge when you make that statement?—A. Yes.

By Mr. Raney:

Q. Can you tell me, Mr. Shepherd, at what places in Ontario to your knowledge the Trotting Association derives a revenue from the sale of bookmaking privileges?—A. Every place where there is bookmaking carried on.

Q. That is what I want to know? Give the names of those places, speaking from your own personal knowledge, because Mr. Greer, the provincial detective, tells me there is practically none of this work going on in the province at all?—A. I have been at London where there is bookmaking, Seaforth, St. Thomas—

Q. Within how many years?—A. Well, I could not say. I was ill the present year, and was not around to any of these places, but when I was racing my mare in 1905.

Q. Let us confine ourselves to three years?—A. I say in 1905—

Q. Well, go back to 1905, but no further than that, please; including 1905, what places can you give me where there has been bookmaking on the tracks from which the trotting associations derived a revenue?—A. London—

Q. Yes?—A. St. Thomas, Seaforth, Listowel—

Q. Very good, that is four?—A. Brockville.

Q. That is five?—A. Nearly every place I was at.

Q. Name as many as you can.

By Mr. McColl:

Q. Windsor?—A. Yes, Windsor also.

By Mr. Raney:

Q. Were you there trotting?—A. And won second money.

Q. Since 1905?—A. In 1905 I did not say since.

Q. That is five or six places; now are there any others?—A. Those are the meetings I attended.

Q. Was it bookmaking at all these tracks or pool selling?—A. Bookmaking and pool selling up town.

Q. Of course that was not on the track?—A. But the associations derived benefit just the same.

Q. Of course, you know that under the law as it stands now pool selling is unlawful?—A. Yes.

Q. You know that?—A. Yes.

Q. What you ask is that this parliament enact a law which would make pool selling on the Trotting Association tracks lawful?—A. I beg your pardon, I did not even suggest the thing; I say bookmaking.

Q. You would make bookmaking lawful?—A. I would.

Q. Why?—A. Because I think bookmaking is the better way.

Q. The better way of doing it?—A. Yes.

APPENDIX No. 6

Q. What you ask is that bookmaking shall be made the financial foundation of Trotting Associations?—A. No, I do not mean that, I never said it should be made the financial foundation.

Q. You do know I suppose that bookmaking is the financial foundation of the race track according to the contention of my learned friends themselves?—A. I do not know it and I do not think it is true.

Mr. COUNSELL.—I object to that statement by my learned friend.

Mr. RANEY.—Then I have totally misapprehended the point sought to be made by my learned friends on my left.

Mr. MCCARTHY.—No doubt.

Mr. RANEY.—It has been said by them over and over again that without bookmaking they could not carry on their racing operations. My learned friends put it in two ways: if you take away the direct revenue from the bookmakers there will be a loss of \$70,000 or \$80,000 a year. Again, if you take away the bookmakers you will wipe out one-half, or two-thirds, or four-fifths of the attendance, and in that way you will get rid of two-thirds or four-fifths of the entrance money. What does that mean but the financial foundations?

By Mr. Raney:

Q. Now, Mr. Shepherd, we will put it this way?—A. All right, sir.

Q. You will assume if you please that bookmaking is the present financial foundation of the racing association?—A. I won't assume any such thing, because I do not believe that it is.

Q. Then do you assume that bookmaking should be made the financial foundation of horse racing?—A. I do not.

Q. You do not?—A. No.

Q. You ask that bookmaking shall be made a matter of contributory financial support?—A. No.

Q. To the trotting associations?—A. What I ask is that bookmaking be made legal so that a gentleman when he fixes on a horse and is willing to back his opinion can do it in a respectable way.

Q. No, pardon me, as I understand your evidence you ask that bookmaking be made legal so that the trotting associations may derive a revenue from it?—A. Yes. That is one of the points.

Q. And the chief purpose?—A. No, not the chief purpose.

Q. What is the chief purpose?—A. The chief purpose is to encourage the breeding of horses.

Q. How does it encourage the breeding of horses?—A. Simply because it incites two men to rivalry. That has been the development of everything from the time that people crossed a river in a dugout until we got the Atlantic steamship of to-day.

Q. Was there no rivalry in horse racing before bookmaking was introduced?—A. I was not here to know.

Q. Oh, yes, you were; it was about 1870 when bookmaking began, as far as you know?—A. As far as I know the first horse race I was ever at was 41 years ago in the village of Aurora.

Q. And there was bookmaking there?—A. Yes.

Q. Did the associations derive a revenue from it?—A. I did not know, I was too young then to find out.

Q. My opinion is that so far as contributing a revenue to the racing associations, bookmaking began in 1880; can you contradict that?—A. Contradict your information? I would not do it for the world, but it is not mine.

Q. Well, when did bookmaking begin on this continent?—A. I do not know when bookmaking commenced on this continent, but from all I can read, rivalry existed in horse racing the moment they discovered the Indian and the horse.

Q. The rivalry did not begin with the bookmakers, you know that?—A. I do not.

Q. Do you think it did?—A. I do not think it began with the bookmakers, but with two men owning a horse and each one wanting to back his judgment.

By Mr. McColl:

Q. This is about the first we have heard from the trotting association; why have you not appeared before this committee to give us this information earlier in the proceedings?—A. I do not want you to think that I am giving you a sharp answer, but I was not asked. I was asked to come to-day and I am here.

Q. Of course the committee were going on this assumption that this Bill was before the public and in that way an invitation was extended to all who were interested in the matter to come here and present their views?—A. You are quite right. Yesterday was the meeting of the Standard-bred Association, of which I am a director, and at the meeting of that association yesterday they passed a resolution and appointed me to bring it before this committee. I did so to-day and handed the resolution to some gentleman to be laid before you. It was read here by the chairman of this committee to-day.

Q. So you came immediately after your association met and discussed the matter?—A. And authorized me to come.

By the Chairman:

Q. You said, earlier in your examination, and I think very correctly that in horse breeding like begets like?—A. Yes, sir.

Q. That is true as to speed?—A. Generally speaking, yes.

Q. It is just as true as to conformation?—A. Generally speaking, not always.

Q. Not always, no. But just as much as in the other cases?—A. Yes.

Q. And as to many kinds of unsoundness is the maxim likely to apply that like begets like?—A. There are some unsoundnesses that are transmitted from the dam or sire to the progeny, there are very many others that are not.

Q. In awarding your purses at a trotting meeting, the same as at a running meeting, you do not take into consideration anything but speed do you?—A. Yes.

Q. In the exhibitions they do, but not as a rule in racing; speed is the only thing you consider?—A. Yes.

Q. You do not consider conformation or you do not consider soundness?—A. There never was a horse that gained extreme speed to my knowledge but what was sound, because if there are any defects they will show it in case of an extreme test of speed and endurance which racing means.

Q. At a regular race meeting, not an agricultural meeting or a horse show, you do not consider anything in awarding the purse but the speed alone?—A. Only the speed test.

Q. And of course that is what we are talking about. As Mr. McColl said you are the first man here to defend the standard-bred. Has any breeder of standard breds in recent years used the thoroughbred to improve the standard? I may say to you that Dr. Rutherford, Veterinary Director General, when asked whether any breeder of standard bred horses had in recent years used a thoroughbred to improve the quality of his get, said that he did not know of any breeder of standard-breds to-day in the United States or Canada that was using the thoroughbred; do you know of any?—A. Yes.

Q. Is it being largely done?—A. It is being largely done; crossing a standard-bred mare with a thoroughbred stallion, or a thoroughbred mare with a standard stallion.

Q. That is for a horse for army purposes?—A. They carry the weight and they have the stamina.

Q. For a road horse is it more usual to use the standard bred or the thoroughbred?—A. The standard-bred.

Q. And the standard-bred is more used for that purpose?—A. No question about it.

APPENDIX No. 6

Q. The thoroughbred is comparatively little used for that purpose; it is nearly all standard bred?—A. For the road horse.

Q. And you think that is a good business too?—A. The road horse business?

Q. You mean to say you think that the horse breeder or the farmer who uses the standard bred to improve the road horse instead of using the thoroughbred is acting wisely?—A. I would like to say that the foundation of all the standard bred stallions is the thoroughbred, the whole family of standard-breds originated in imported Messenger that was brought out to this continent.

Q. You might go further back and find what was the origin of the thoroughbred, but I am speaking of to-day, not a hundred years ago. To-day a man breeding road horses for road purposes acts more wisely, he uses the standard-bred sire to improve the ordinary light-legged horse that you meet in the country, rather than the thoroughbred?—A. In my opinion he would if he wanted a road horse.

By Mr. McCarthy:

Q. All that has been said about the use of the thoroughbred to improve the racer is applicable to the standard bred as a road horse?—A. There is no doubt about that.

Q. So that if the standard bred horse in Canada is more necessary than the thoroughbred horse it is more necessary we should raise him here?—A. What applies to one applies to the other, commensurate with the value of each.

Q. And the greater industry in Ontario is the standard bred?—A. No doubt about it.

Q. And so we must have racing in order to improve the race of standard bred?—A. Or even if you want to keep it up to the present standard, that is there must be developed dams and developed sires.

Q. We have had the insinuation thrown out here a good many times that the race horse is not the type of horse that would improve the standard generally; now in order to be successful and to produce speed a horse must be sound in limb and wind?—A. The best breeders in the world would not use a horse who did not possess all those requisites, they would not use an unsound horse except the unsoundness was caused by accident.

Q. When I speak of unsoundness I am referring to constitutional unsoundness, not to unsoundness produced by accident?—A. No one would breed to a horse constitutionally unsound.

Q. Is that the rule with standard breeders in Ontario?—A. It should be.

Q. Is it the rule by them largely?—A. In the great majority of cases it certainly is.

Q. So that those people who are breeding standard breeds know that there is no good purpose in getting mere speed unless the horse has good stamina and conformation as well as speed?—A. Yes.

Q. You might tell the committee what are the objects of your Standard Bred Association? Is it to promote the best interests of the standard bred horse and to develop it?—A. That is what it was organized for and they have formed a register for the registration of Canadian standard breeds.

Q. Have you considered the necessity of racing in connection with the object for which your association was formed?—A. Yes.

Q. And you have concluded that it was necessary to have those races?—A. Yes. I may say that you can scarcely go to a side line or a side road in any township that I know of but what you will find some farmer who is developing a standard bred colt in the hope of making that colt, which he very often does, worth more than the farm on which he is raised.

By the Chairman:

Q. Do you say that he often does it?—A. I say so, yes, and I can give you an

1-2 GEORGE V., A. 1911

instance myself. One gentleman named Fife who lives close to Peterborough raised a mare named Maud Keswick. I bought her and refused \$6,000 for her.

Q. The farmer's boy who raised her did not get \$6,000?—A. The man who raised her did very well with her, he received a good price for her.

By Mr. Blain:

Q. What would you say to making the association the bookmaker?—A. I would not object if it could be carried on better that way, I would not see any objection to it at all.

Q. Do you see any objection to it at the moment?—A. Not the slightest, for the moment.

By Mr. Counsell:

Q. Are bookmakers as a class honourable men?—A. As a class they have to be because their surroundings compel them to be; if the bookmaker welched or did anything detrimental to the interests of the track, which is also covered by the strictest possible rules with regard to fraud on the part of the horse owner, driver or rider, he would simply be ruled off and would be not barred only from doing business on that track, but from ever going on any track under the control of the Racing Association.

By Mr. Blain:

Q. If there is to be bookmaking on the track would it not be better to allow the association to make the books rather than to sell the privilege to fourteen or fifteen other men?—A. I would just like to say in reply to that that the association is made up of so many different men of so many different minds that they would have a great deal of difficulty in putting up the odds on the first slate. I do not intend that as a sharp answer by any manner of means. You would probably understand that yourself. The association is composed of a number of members, the president, vice-president and the directors would get together to decide what the odds were on the different horses. The man who makes a book, the bookmaking proposition is a square business proposition, the man who is really a bookmaker is not a gambler at all; he makes a book, usually it is what is called a 5 per cent or a 10 per cent book, and no matter what horse wins, if he is an intelligent bookmaker he is certain to make his percentage.

By Hon. Mr. Stratton:

Q. That is a mathematical proposition?—A. He will not allow himself to be carried into deep water by people rushing up to him and saying: 'Give me a thousand on this horse.' He won't be rushed into that, if his book will not stand it he will say: 'I do not want that much. I will give you \$500 or \$100,' as the case may be.

Q. Would not the association have the power to do the same thing?—A. The trouble would be that perhaps they would not be able to agree upon the odds, or they would not bother to change the odds as quickly as a regular bookmaker would, unless they had a practical man to attend to it.

By Mr. Raney:

Q. I suppose you recognize Abraham Orpen as an expert bookmaker?—A. I do not know anything about him as a bookmaker, I know him as a man.

Q. You know he has the reputation of being a clever bookmaker?—A. I know his reputation thoroughly as a square, honest man—

Q. And as a clever bookmaker?—A. In any capacity of life.

Q. He brought before the committee. I think it was, eight betting sheets?—A. Yes.

Q. Then in reference to your statement that betting is only a mathematical business and not gambling at all?—A. I said intelligent bookmaking.

Q. I think he is an intelligent bookmaker?—A. I do not, not always.

Mr. Orpen showed eight sheets not one of them showed a loss, but they all showed large wins or gains in every case, that shows that bookmaking is wagering, does it not?

APPENDIX No. 6

—A. It showed that the bookmaker was taking undue liberties with the money of somebody else.

Q. You have, say, five horses on a string?—A. Yes.

Q. And the bookmaker makes his odds?—A. Yes.

Q. Now, he expects there are going to be backers for all his horses?—A. Yes.

Q. And if it transpires there are no backers for some of the horses?—A. Yes.

Q. Then he would stand to win or lose?—A. Yes.

Q. Then he is betting?—A. No, he is not. I will show you what he is doing, I'll tell you what he does, he puts up one horse at 5 to 1 against and 9 men come up and bet \$5, and there is nothing else bet; he immediately cuts down the odds on A and runs it up on C and D, and balances his book that way. but he might possibly be caught; we might any of us get caught in a rainstorm without an umbrella, but if we do it is betting money that we will never get caught again. He endeavours to even up his book on that heat if he can.

Q. You think that theoretically a bookmaker makes a theoretical book out of which he makes a profit of 5 or 10 per cent, but in practice it never works out that way.

—A. In practice, if he is an intelligent bookmaker, he succeeds, and if he does not make his book intelligently, do you know what happens to him? The next day he is not at the Woodbine making books.

Q. It does not work out that way with Orpen?—A. It worked out that way with Orpen more than once at the Woodbine, and he has retired with a loss of thousands of dollars that the public have got.

Mr. McCARTHY.—Mr. Orpen said that if a man made a book scientifically he is all right, but the moment he got off the scientific basis he is losing.

Mr. COUNSELL.—Those six sheets that Orpen produced were only six sheets out of thousands.

Witness retired.

Committee adjourned.

HOUSE OF COMMONS,

February 16, 1910.

The Committee met at 11 o'clock, Mr. Miller, Chairman, presiding.

The CHAIRMAN.—I have received letters from the following Associations:—Canadian Hackney Horse Society, The Canadian Shire Horse Association, Ontario Horse Breeders' Association, Ontario Sunday School Association, Woodham Methodist Church, The Allenford Methodist Church, The Ministerial Association of Berlin, also a letter from the Presbytery of Quebec, addressed to the Hon. Jacques Bureau of Three Rivers, inclosing a resolution of the Presbytery; a letter from the Moral and Social Reform Council of Midland, inclosing a resolution, letter from West Simcoe Women's Institute. There is also a letter from Thomas Urquhart, ex-mayor of Toronto, in which he speaks of the evils of gambling.

Mr. McCARTHY.—I do not see that that is evidence. Mr. Urquhart is nothing more than a private citizen now.

Mr. Moss.—He has not been there for several years.

The CHAIRMAN.—I have also a communication from Mr. Detwiler, President and Treasurer of the Oberholtzer Co., of Berlin, in which they speak of having to cut off credit to customers who have been addicted to race-track gambling.

Mr. McCARTHY.—I do not think that the last two communications should go in.

The CHAIRMAN.—I am not asking that they should go in. I have also a certified copy, sent to me without any solicitation, of the proceedings in the case of the King vs. Frederick Hart, tried in Vancouver. These communications read as follows:—

REQUEST BY CANADIAN HACKNEY HORSE ASSOCIATION.

The members of the Canadian Hackney Horse Association, holding their annual meeting this 31st day of January, in Toronto, do hereby request that the committee appointed by Parliament to report on Bill No. 6, introduced by Mr. H. H. Miller of South Grey, seriously hesitate before recommending Parliament to adopt this Bill, which, should it become law, they feel will greatly injure certain branches of the rapidly increasing horse industry, which is annually becoming of greater importance to Canada.

RESOLUTION OF THE CANADIAN SHIRE HORSE ASSOCIATION.

The members of the Canadian Shire Horse Association, holding their annual meeting this 1st day of February, in Toronto, do hereby request that the committee appointed by Parliament to report on Bill No. 6, introduced by Mr. H. H. Miller, of South Grey, seriously hesitate before recommending Parliament to adopt this Bill, which should it become law, they feel will greatly injure certain branches of the rapidly increasing horse industry, which is annually becoming of greater importance to Canada.

RESOLUTION BY THE ONTARIO HORSE BREEDERS' ASSOCIATION.

The members of the Ontario Horse Breeders' Association, holding their annual meeting this first day of February, in Toronto, do hereby request that the Committee appointed by Parliament to report on Bill No. 6, introduced by Mr.

APPENDIX No. 6

H. H. Miller of South Grey, seriously hesitate before recommending Parliament to adopt this bill, which, should it become law, they feel will greatly injure certain branches of the rapidly increasing horse industry which is annually becoming of greater importance to Canada.

The following is an extract from the minutes of proceedings of a meeting of the Central Executive of the Ontario Sunday School Association, held January 21st, 1910.

Moved by Mr. Hardy, seconded by Mr. H. E. Irwin, K.C., that the Central Executive Committee of the Ontario Sunday School Association desires to express its approval of the objects of the bill, introduced into the House of Commons by Mr. H. H. Miller, to abolish race-track gambling in Toronto, and to pledge the support of the members of this Association in the work which Mr. Miller is beginning, and that a copy of these resolutions be forwarded to Mr. Miller.

The following is a copy of a resolution of the Official Board of the Woodham Circuit, Methodist Church:—

Having regard to the important and prolonged discussion that has taken place in the Dominion Parliament, and in the Press, over the Anti-Gambling Bill, we, the Official Board of the Woodham Circuit, Methodist Church, do hereby express our entire disapproval of the licensing of gambling on the race course or off it, by the book-maker or otherwise; believing it to be ever harmful to the community in which it is practiced.

We sincerely trust that the representatives to Parliament from this section of the land will use their utmost influence in resisting the legalizing of gambling, as associated with the racing of horses.

The following is a resolution by the Quarterly Official Board of the Allenford Circuit of the Methodist Church:—

That this Quarterly Official Board of the Allenford Circuit of the Methodist Church, composed of men largely engaged in agriculture and interested in breeding of horses, desires to place itself on record as very strongly opposed to the assertion made publicly in the House of Commons, that gambling in the form of book-making is necessary to the continued improvement of our Canadian horses.

We desire also to express our hearty endorsement of the measure introduced by Mr. H. H. Miller, of South Grey, and now being considered by the House of Commons. We hope this measure will have the cordial support of our representatives and all others who speak for the agriculturists of this province.

The following is a resolution passed at a meeting of the Ministerial Association of Berlin and Waterloo, held on Monday, January 24, 1910:—

That the association have observed with gratification the introduction of a Bill to prevent gambling at race meetings, &c., and we desire to express our hearty approval of the spirit of the measure, and our earnest prayer is that it may be placed on the statute-book, firmly believing that it would be in the interests of the moral welfare of our people.

The following is a petition from a meeting of the Presbytery of Quebec, held at Richmond, Que., on January 7, 1910:—

Whereas, our Canadian law, as at present interpreted, allows pool-selling on our race courses, proving that the pool seller does not occupy a particular place, but moves about from one spot to another, which technically allows the whole business of professional gambling at race meets to be carried on as before;

And whereas across the lines many of the states have enacted laws prohibiting professional gambling on race courses, the result being that many of these people have been driven out of the United States, and finding a happy hunting ground in Canada;

1-2 GEORGE V., A. 1911

Therefore, we, the Presbytery of Quebec, humbly pray your honourable body to so amend the Criminal Code, without delay, so as to make the business of race-track gambling unlawful.

The following is a resolution passed at a meeting of the Moral and Social Reform Council of Midland, held January 10, 1910:—

That whereas many evils arising out of race-track gambling are prevalent in Canada;

And whereas in a large number of states in the American Union the business of negotiating bets and the transmitting of betting intelligence have been outlawed; and

Whereas as a result of such legislation Canada has been invaded by a large number of professional gamblers and bookmakers, who have carried on their business to the moral, social and industrial damage of the community of our people:

Resolved, that we strongly urge upon the House of Commons and the Senate of Canada to enact at the present session the measure already presented to the House by Mr. H. H. Miller, M.P., and that a copy of this resolution be forwarded to our own member, Mr. Manley Chew, M.P.

The following is a resolution passed by the members of the West Simcoe Women's Institute:—

We, the members of the West Simcoe Women's Institute, have noticed that you, in your parliamentary capacity, are putting forth a strong effort for the suppression of gambling at the race tracks.

We recognize that gambling is a menace to our homes as well as to the life of the nation.

The fundamental principle of our organization is expressed in our institute motto, 'For Home and Country,' and we cannot let this opportunity pass without expressing our unqualified approval of the stand you have taken to protect the homes and uplift the moral standard of our country.

The following is the judgment rendered by the police court at Vancouver in a recent case:—

This is a case where you pleaded guilty to a serious charge, that of taking \$1,000 when you were in a position of trust. I have considered your previous good character during the long number of years that you have been in similar positions of trust, and this is the first time you have fallen. I must consider the circumstances surrounding the case—this race-track gambling and the temptations you were put to. It is unfortunate that the young men of our city should be subjected to such an environment. Still I have to consider the administration of justice and the protection of the community. The man who is entrusted with the moneys of others should look upon that money as sacred and under no circumstances think for a moment that he could make use of it for his own personal ends or take any risks any more than if a man broke into a bank or a store and took it, more so when a person is in a position of trust he should be more careful. You are a young man, and while I have to give you a substantial sentence in the interests of justice and protection of the community, I am not going to send you to the penitentiary, where your associations will be such that they would not help you in your future life, and I think the ends of justice will be met if I impose a sentence of one year in jail with hard labour. I think this will be a lesson to you, and I will be very much mistaken and disappointed if you do not in the future avoid and be above such temptation in the Vancouver city jail.

APPENDIX No. 6

The CHAIRMAN.—Many of the witnesses have said that the law passed in New York State had virtually put an end to horse racing in that state. I have an announcement of the programme for New York State for 1910, which reads as follows:—

The New York racing dates were announced to-day as follows:—

Aqueduct—April 15 to April 28.

Metropolitan Jockey Club—April 29 to May 12.

Westchester Racing Association—May 13 to May 30.

Brooklyn Jockey Club, Gravesend—May 31 to June 15.

Coney Island Jockey Club, Sheepshead Bay—June 17 to July 4.

Brighton Beach Racing Association—July 5 to July 20.

Empire City, Yonkers—July 21 to August 3.

Saratoga Racing Association—August 4 to August 27.

Coney Island Jockey Club, Sheepshead Bay—August 29 to September 10.

Brooklyn Jockey Club, Gravesend—September 12 to September 24.

Westchester Racing Association, Belmont Park—September 26 to October 8.

Metropolitan Jockey Club, Jamaica, October 10 to October 27.

Aqueduct—October 28 to November 15.

Nearly all those are meets longer than those held at the Woodbine.

Mr. McCOLL.—Some of them hold two meets in a season.

The CHAIRMAN.—Yes.

Mr. McCOLL.—I understood the evidence was that it cut out all the high character of the racing, that those meets were going on but only had about one-third of the former attendance; that they had driven away all the sporting element, but retain and increase the undesirable element, and increase the oral betting.

Mr. MOSS.—Reports have decided that oral betting is legal.

Mr. MCCARTHY.—There is a good deal of unhealthy betting.

Mr. RANEY.—Ours is the healthy betting.

Mr. MCCARTHY.—Yes, as it is in England.

Mr. RANEY.—I desire to refer to one or two matters. After the last meeting I wrote to E. T. Malone, counsel for the Niagara Racing Association. It will be remembered that Mr. Madigan's health became very bad, he being president of the association, and that he and the secretary of the club had gone to Alabama. It was thought that he might be communicated with in a week, but I have received no reply from Mr. Malone to my letter except this letter on February 4. I would like to inquire from the clerk if he has received any books or statements from Mr. Malone or the other official of the association.

The CLERK OF THE COMMITTEE.—No, I have not.

Mr. RANEY.—We may take it the Niagara Racing Association will allow this to go by default. I also wrote to Mr. Counsell, solicitor for the Windsor Racing Association. I have not been able to discover that they are an incorporated body. I can find no trace of the filing of any returns, and I take it that it is a mere name and there is really no incorporated company.

Mr. MOSS.—Then you have been remiss in not preventing them from racing.

Mr. RANEY.—I take it that perhaps they are within the letter of the law, because they are using the track of the Windsor Fair Grounds, and Driving Park Association, which is an incorporated body, and the effect of the decisions is that book-making which takes place on the grounds of an incorporated association is protected; so that as lessees of those fair grounds, I think they would be protected. They advertise as the Windsor Racing Association. At all events we have the secretary of that association here, and he disclaims any connection with the racing meets which took place at Windsor.

Mr. McCOLL.—I suppose it would be possible to have an association incorporated, and they need not own a race track, but could lease one.

Mr. RANEY.—Then I wrote to Mr. Counsell at Hamilton in the same terms that

I have written to Mr. Malone, except that I expressed the hope that Mr. Hendry's health might be sufficiently improved for him to attend here. I had a reply stating that he had forwarded the letter to his office, and I should like to know from Mr. Counsell whether he intends to call any witness on behalf of the racing association.

Mr. COUNSELL.—I may have to call some evidence.

Mr. RANEY.—Will Mr. Counsell tell me whether he intends to call George M. Hendry?

Mr. COUNSELL.—If his health permits it, he will be here.

Mr. RANEY.—And Mr. Palmer, of Nashville, the secretary.

Mr. COUNSELL.—I am taking instructions from Mr. Hendry.

Mr. RANEY.—I have been after the information for a month or more, and I should like to obtain it. Do you intend to call Walter O. Palmer, of Nashville, Tenn.

Mr. COUNSELL.—It depends on the evidence you adduce in regard to Windsor.

Mr. RANEY.—Then you do not intend to put him in the box and give me a chance to cross-examine him. Do you intend to produce the books of the Windsor Racing association or the books of the association of which Mr. Geo. M. Hendry is president, and Walter O. Palmer is the secretary.

Mr. COUNSELL.—I am not seeking to prevent the production of the books.

Mr. RANEY.—Do you intend to produce them?

Mr. COUNSELL.—Yes.

Mr. RANEY.—Are they here?

Mr. COUNSELL.—No.

Mr. RANEY.—Where are they?

Mr. COUNSELL.—I do not know.

Mr. RANEY.—Does Mr. Counsell intend to produce them? He can answer that question.

Mr. COUNSELL.—I have answered it. It is impossible for me to get into communication with the owners of the books.

Mr. MONK.—Does it occur to you, Mr. Raney, that Mr. Counsell's course must be shaped from the nature of the evidence you produce. He cannot say until he knows what you are proving.

Mr. RANEY.—No. We are dealing with companies and individuals beyond the jurisdiction of this committee.

Mr. COUNSELL.—No, Mr. Hendry is a resident of Windsor, Canada. He is a Canadian.

Mr. RANEY.—I am told he is a resident of Detroit. We want production of the books. We can only get them if they are produced voluntarily. I asked Mr. Counsell to state what the attitude of the racing association is in regard to that. I am willing to put them in.

Mr. COUNSELL.—My clients wish to give the committee the fullest information which they desire, and if they think they have not sufficient information about the matter, or if the production of the books would throw any light on the matter, they can be produced.

Mr. CHAIRMAN.—Could you have the books to-morrow?

Mr. COUNSELL.—No, impossible. I do not know where the books are. Mr. Hendry has been in the south for a month or more, and Mr. Cameron is also there. The secretary died last fall, and the succeeding secretary has never taken over the books.

The CHAIRMAN.—It would not seem to you possible to obtain them.

Mr. COUNSELL.—I do not see any immediate possibility of getting them.

Mr. MONK.—You have established the fact that the bookmakers are a considerable source of revenue. That is an important factor, and it seems to me you have established in a general way what the effect of the bookmaker is upon the attendance and the success of the races. More than that, in a general way—I speak subject to the feeling of the committee—it seems unnecessary to produce the books.

Mr. RANEY.—My instructions are that these Niagara and Windsor associations are

APPENDIX No. 6

gambling propositions pure and simple; that every year each of these associations divides among the people interested some tens of thousands of dollars, perhaps running up to fifty thousand dollars each. I think it is the very essence of this inquiry to know just what the foundation of these clubs is. The whole thing is a gambling proposition, and not a racing proposition, conducted in a large park by refugees from the United States.

Mr. COUNSELL.—I object to any statement of that kind. It is ridiculous to make such a statement.

Mr. McCOLL.—If I remember correctly from the evidence it appears that these two associations, Fort Erie and Windsor, have within the last year become members, or attached to the Canadian Racing Association.

Mr. RANEY.—Quite so.

Mr. McCOLL.—So that I would suppose, from that, that the associations or the tracks like the Woodbine and Blue Bonnets would have a controlling influence over the conduct of these two tracks, and I wanted to know whether this matter that you speak about, in regard to their dividing up their fifty thousand dollars, was since they became members of the Canadian Racing Association, or when they were an independent concern?

Mr. RANEY.—Both. I asked Mr. Fraser that very question, whether the Canadian Racing Association exercised any control over its units, and he said 'No,' except as to race meets, and as to certain conduct of the race tracks.

Mr. McCOLL.—But not in a financial way at all?

Mr. RANEY.—No.

Mr. MCCARTHY.—One thing is certain; the Windsor people must have put a great deal of money into plant before they put any in their pockets.

Mr. RANEY.—I want to make it absolutely clear before the committee that I am requesting, and have always been requesting since this inquiry began, the production by these two associations of their books and statements, and the production before the committee of the men who control the association and who know the facts. If they are taking the position that they will not comply with either of these requests, then I am content to let the matter rest, and let them take the result when it comes to the argument. I will not discuss it further.

Mr. COUNSELL.—I may say they never have taken that position, and do not desire to. I am willing to take this position: that the Hamilton Jockey Club last year made fifty thousand dollars, and I have no doubt the Windsor Club and the Fort Erie Club made thousands of dollars, but I do say that when the Hamilton Club go into the race meet next year they will go in with a deficit, and Windsor will have improvements to make and moneys to spend; but at the same time, as a matter affecting this Bill, I do not see that it makes any difference.

Mr. RANEY.—If the Windsor Association is a genuine sporting proposition, an honest business proposition, there is no reason why Walter O. Palmer, well known as a race-track man, and George M. Hendry should not come here and state these facts.

Mr. COUNSELL.—What do you mean by a well known race-track man?

Mr. RANEY.—I am not going to be led off on a side issue.

Mr. COUNSELL.—I do not want you to make that statement? Mr. Palmer is a horse breeder in the States.

Mr. BLAIN.—I understand we have witnesses here, and I think we should proceed with them and not take up time with this discussion.

Mr. RANEY.—Then I asked Mr. Counsell, as representing the Hamilton Jockey Club, to produce the Minutes of the last annual meeting of the Hamilton Jockey Club. I want to know whether he is prepared to do that.

Mr. COUNSELL.—I have forwarded your communication to the secretary of the club, and I have no doubt an answer will be given.

Mr. RANEY.—The communication was sent on February 8th and there should be

1-2 GEORGE V., A. 1911

a reply by this time. Will you affirm or deny the substantial accuracy of the report dated the 7th of December, 1909 in the Hamilton 'Herald,' at which you were present, which I will read, with the permission of the Committee——

Mr. COUNSELL.—This is entirely irrelevant.

The CHAIRMAN.—It might possibly save the necessity of calling a witness. Possibly by receiving some explanation from you it might obviate the necessity of calling a witness.

Mr. RANEY.—I can call Senator Gibson if necessary.

Mr. MOSS.—This is not a criminal trial.

Mr. RANEY.—I propose now, with the concurrence of the committee, to read this report.

Mr. McCARTHY.—If the committee so order you can issue a subpoena to the secretary of the Hamilton Jockey Club, and get his book.

The CHAIRMAN.—We want to avoid that.

Mr. COUNSELL.—Is it the desire of the committee to go into this and hear all these things?

The CHAIRMAN.—I think we had better see what Mr. Raney wants to present to us.

Mr. RANEY.—The paragraph reads as follows:—

A meeting of the shareholders of the Hamilton Jockey Club was held yesterday afternoon in room 14 of the Courthouse building. It was moved by J. L. Counsell, seconded by J. J. Scott, K.C., and carried that a bonus of \$4,000 be granted to Judge Monck, and that he be the recipient of a regular salary of \$1,000 per annum, dating 1910. Three shares were drawn from the treasury stock, for presentation purposes, two being given to the president, Senator Wm. Gibson, and one to the vice-president, F. C. Bruce. It was decided that in future all the directorate will be paid at the rate of \$10 per meeting, the chairman, Senator Gibson, to receive \$15 per meeting. The salary of A. R. Loudon, the secretary, was increased from \$1,200 to \$2,000 per annum. All increases and emolument will date from January 1st of this year. It is only fair to Judge Monck to say that he has devoted a great deal of his spare time in the interest of clean racing. The shareholders meeting was adjourned until some future date, due notice of which will be given on the return to the city of the president.

I asked Mr. Counsell if he is prepared to admit the substantial accuracy of that report.

Mr. SINCLAIR.—What has that to do with the investigation.

Mr. COUNSELL.—A question of animosity on Mr. Raney's part.

Mr. RANEY.—I should think the fact that apparently this is a commercial proposition, and not a sporting club——

Mr. SINCLAIR.—You think the salaries are too large?

Mr. RANEY.—It shows that Hamilton sport is on a financial basis.

Mr. COUNSELL.—Judge Monck had given his time, service and attention to the matter for ten years in the interest of sport and clean racing. He worked hard at it, and it is the first time in the history of the club that we have been able to make any recompense to him for the time he lost, and the members of the committee did not think that was an excessive or exorbitant amount to give him for his past services. He was not voted a salary of \$1,000 a year. This was a bonus at the rate of \$1,000 a year for the last four years, the previous years not having been considered at all.

Mr. McCARTHY.—Is the issue in this investigation as to whether racing is morally wrong and that gambling on the race track should be prohibited, or is it one where prejudice should be aroused by stating that certain men in running concerns successfully obtain salaries for so doing? There is no business that I know of conducted on the scale upon which the race meets are conducted that do not pay very much larger salaries than these mentioned by the resolution, and if the issue here is to be clouded by raising prejudice because this man or that man has received money or made money

APPENDIX No. 6

out of this concern, it does seem to me that the issue which was originally presented by you has been entirely lost sight of. The question is whether these men conduct this racing in the interest of clean sport, and whether there is existing on these race tracks some evil or unclean thing, not what this man may or may not have received from the moneys derived from the promotion of these enterprises. One man might promote them in the interest of horse breeding, and another might promote them in the interest of sport, and another might do it from a purely business instinct. Neither one of the three is doing a wrong, and the question is whether the combination of those three create a wrong—not the money that is divided. If it is wrong to carry on the enterprise, then the making of money out of it is wrong, but how much or how little they receive is not germane to the issue. It is losing sight of the issue. It is an endeavour to create a prejudice against the promotion of these jockey clubs by reading such articles as this, and I submit it should not be permitted. Let us get back to the issue. The issue is whether a wrong is being done by the carrying on of the jockey club meets and of the trotting race meets, that so much wrong, and so much evil is thereby created that this legislation should be passed in its entirety. It does not matter how much this man may or may not be paid.

Mr. RANEY.—I want from Mr. Meredith a list of the shareholders of the Montreal Jockey Club.

Mr. MEREDITH.—I will attend to it. I stated on page 4 of the evidence that Mr. A. E. Ogilvie was a director, and that Mr. William P. Riggs was a director. They are directors, but I find they are both vice-presidents.

Mr. RANEY.—Your statement, Mr. Meredith, is that your association, The Montreal Jockey Club, had been in receipt of income from the Interstate News Co. for telegraphic advanced information for the year 1907.

Mr. MEREDITH.—I want to be careful in what I state, because I am not as familiar with the affairs of the club as the secretary, but my recollection is that the only occasion that the club received anything from the news agents was the first meeting of the first year.

Mr. RANEY.—Mr. Campbell was not able to tell me, and I thought you could find out for me, because it is really important whether or not after 1907 the advanced information was farmed out, as in the case of Hamilton, and whether or not, if it were so farmed out, it included the advance information by telegraph.

Mr. MEREDITH.—I would be tremendously surprised if that were the case. I have been away from my office a good deal. I will endeavour to obtain that information.

Mr. RANEY.—I want to exculpate the Montreal Jockey Club if possible.

CHARLES SLEEMAN, sworn—examined by Mr. Raney:—

Q. You are the Chief of Police of the town of Galt?—A. No, sir, of Brantford, and have been for five or six years.

Q. And before that you were senior detective, I think, on the Toronto police force?—A. Yes.

Q. How many years' service?—A. Twenty seven and a half years.

Q. And still a member of the Toronto force?—A. I am still a member of the Toronto police department, and hold the rank of senior detective without salary.

Q. Whilst you were an active detective in Toronto did you have a good deal of experience with the Woodbine Race track?—A. I did, sir. I was on duty there very very often.

Q. Every year?—A. Every year—almost every year, as far as my recollection calls me back.

Q. Tell the committee in your own words what your experience was?—A. In reference to what?

Q. In reference to race-track bookmaking and to the kind of people who came to the Woodbine, and all that sort of thing?—A. I have been on the Woodbine race track

1-2 GEORGE V., A. 1911

for years; I am seventeen years a detective officer, and I spent both in the spring meet and the fall meet a great deal of my time at the Woodbine. So far as horse racing is concerned amongst gentlemen it is good clean sport, as long as it is kept clean. I want it understood I am fond of a good horse.

Q. And no prejudice against horse racing?—A. No, not in any shape or form; but I do say, from my experience, that it would be a blessing to the community if the American bookmakers were kept out of Canada.

Q. I understand nearly all the book makers are American?—A. The majority I believe.

Q. How many do you know in Toronto?—A. There are two or three perhaps. I need not mention names—some of them very decent men.

By Mr. Blain:

Q. Are the methods of the American bookmakers worse than those of the Canadian bookmakers?—A. I am not acquainted with the methods they have on the other side, but I am speaking of the American bookmakers that come over here. The fact of their coming here brings an undesirable class along to attend the races.

Q. What kind of people?—A. Crooks and thieves and pickpockets, flim-flammers, cheque passers, bank sneaks, and many others that probably I could mention. They follow up the bookmaker and attend the race track. That is my experience, and they take advantage of the sports, if you will call them so; that is of men who are betting money; and our particular duty is to protect the public.

Q. Do you know of any distinction between the methods of the one and the methods of the other—the American and Canadian bookmakers?—A. I am not familiar with them.

By Mr. Raney:

Q. To what extent, speaking from your own experience, have these men come to Toronto?—A. We have been kept so busy in the uptown business places and on the race tracks, that it has caused the whole detective staff of the police department to be alive in order to give the public who go down for a day's sport the protection they ought to have. I have seen us making many arrests on the green at the Woodbine race course. I remember one day some years ago that we exhausted both the single and double patrol wagons taking them up town, and it is a well-known fact that the Ontario Jockey Club had to erect a lockup for the purpose of holding them. I am speaking of this class of strangers the majority from the other side.

Q. To hold them until they could be removed?—A. Yes. These men have different lines. There is the tout; he is a man that is connected indirectly some way with the bookmaker, it appeared to me.

Q. You have noted their operations?—A. Yes, and been watching them, and had to overhaul them and arrest them.

Q. What did you observe?—A. I have observed one or two touts get together, and a decent man comes down to make a bet; these men have a ticket, and will say, one to the other: "This horse is going to win," and the stranger becomes interested, and finally he makes a bet, and probably it is a dead horse, and not in the race at all. Now we have the pickpocket; he selects the man going down to put up his money. He follows the gentleman to the book-maker, and I think it has been the experience of more officers than myself that it requires a man to follow him up pretty close, more particularly at the May meet. He will follow this man up, and we will have to follow him, and watch, so that the citizen will not lose his money. I have arrested men on the track. I caught one man in the act of robbing a gentleman on that track; an American, the same class as I refer to. He was tried before Colonel Denison, and went to Kingston for five years. That is the pick-pocket. Then, there are a number of games they play about the city, passing bogus checks and all that sort of thing.

APPENDIX No. 6

By Mr. Sinclair:

Q. Are there no honest touts?—A. I have never met one yet, sir. There may be.

By Mr. Raney:

Q. How would you compare the quantum of this kind of thing which you have to contend with during race meets with the quantum that exists during the Industrial Exhibition, when there are about ten times as many visitors in the city?—A. So far as the crooked work is concerned, if you would so call it, the exhibition is not to be compared with it. It has different surroundings. As you are aware, the public expose their money at the race track. They have to do that, and the man who is out to commit depredations is after them. Therefore, the opportunities for that class are much greater at the race track than at the exhibition.

Q. Is there anything in your experience as a police officer to compare with the quantum of crime for a given time which attends the annual meets at the Woodbine?—A. There is nothing that I can recollect for the time the sport lasts, because we have to deal with a class of strangers besides our own locals.

Q. Have you had instances within your knowledge of ruin of men and their families by reason of their spending money that was not theirs, or that was theirs, betting with the bookmaker?—A. I have had cases.

Q. Many cases?—A. Quite a few, where they attributed their downfall to the fact of following the races and betting.

Q. Have you noted the after effects on their families and themselves?—A. I have had several complaints from women sometimes, and sometimes from members of the family about the habit that some members of the family had of betting on the races.

Q. Into what number would they reach? Into scores, or hundreds or what?—A. I do not want to go so far as to say the number, because, of course, had I known at the time that I would have been giving evidence, I would have taken a note of it, but perhaps there may have been scores.

Q. Just taking it as a whole, what would you say was the effect upon a community like Toronto or Hamilton of the annual race meets from a moral point of view, and a law-abiding point of view? Is the effect good or bad?—A. I should say the effect is bad, and I do think it would be a blessing to the community, as I said before, if you were to stop the American bookmaker from coming over here. I do not think it is any harm if a man has a good horse, and his neighbour has another horse, and if they have money and means, to run a race and win a stake, and have a bet among themselves, but certainly the fact of allowing bookmakers from the other side to come over here and take away the people's money from Canada is a thing not in the interest of the public, and it is most decidedly not in the interest of those who bet, or their families.

Q. Have you ever heard of one of them who succeeded in getting ahead of the game?—A. I have heard them say they did, but I do not know. Some days they would win and some days they would lose, a little.

By Mr. Sinclair:

Q. Do you propose that the American bookmaker be prohibited from operating the tracks in Canada, and that the Canadian bookmaker be permitted to do so?—A. No, sir, I do not draw any line at all, but the majority come over from the other side, and an undersirable class follow them up for the purpose of picking pockets and fleecing the public. That is my experience. I think if it could be arranged not to have the betting on the track at all it would be a blessing to the community.

Q. Are you in favour of the prohibition of the bookmaker altogether?—A. I am.

By Mr. Raney:

Q. You think he is the source of the trouble?—A. Yes, honestly, I do. I think you could have good clean sport and good horse-racing.

Mr. COUNSELL.—Without betting at all?—A. Yes.

By Mr. Raney:

Q. Without the bookmaker at all?—A. Yes, and if you get men with means it will not hurt them to bet. The unfortunate thing is that young men in positions sometimes bet on races and lose, and then they appropriate money that does not belong to them, and sometimes lose their positions and get into trouble.

By Mr. Blain:

Q. Do you approve of private betting on the track?—A. Personally, I am not in favour of betting, but I do not see, if a gentleman has a good horse, and another gentleman has a good horse, and one thinks he can beat the other, and he has fifty or one hundred dollars to put up, I do not see much harm; the effect of that is not the same as the general betting with the bookmaker.

Q. You would allow that to go on?—A. Of course you require to have a little sport, and I do not suppose it is very much harm. Is is the evil of the other that I spoke of.

By Mr. McCarthy:

Q. You think there has to be a little betting wherever there is horses racing?—A. Yes, it is human too.

Q. You think if a man has fifty or one hundred dollars to bet and wants to bet it, that he should go around among his friends trying to make them bet?—A. No.

Q. How otherwise could he bet?—A. As far as I am concerned I do not want him to bet.

Q. That is what you would force him to do?—A. No, I said if he had the money to bet.

Q. Do not let us quarrel or quibble. If you do away with the bookmaker and there must be betting, with whom is the man going to bet?—A. I do not think we will have very much betting if the bookmaker is done away with.

Q. You say there will be betting where there is horse racing?—A. There may be.

Q. You said there would be? Do you go back from that?—A. No, not from anything I have said.

Q. You said it would not do any harm for a man if he had \$50 or \$100 to bet to do so. With whom would he bet?—A. It is his own lookout.

Q. He would go around offering to bet indiscriminately with people around the track?—A. I do not think he would if he were a gentleman.

Q. If he were not a gentleman he would?—A. It depends what he thought himself.

Q. He would do it if he felt like it?—A. I cannot emphasize that?

Q. Oh come.—A. I am trying to help you.

Q. You are fencing, if you will permit me to say so?—A. Excuse me I have never been on the fence.

Q. You may have used a foil?—A. I do not use a foil.

Q. Would that not be the result, that if a man had \$50 or \$100 to bet and no bookmaker to bet with, he would be seeking somebody to make a bet with?—A. It is a theory.

Q. It is a practice?—A. There has been no occasion for it yet.

Q. What is your opinion if the bookmaker were absolutely prevented from doing business, would that state of affairs not arise?—A. I do not know.

Q. Do you not think it would?—A. If you had money enough to bet amongst yourselves in a friendly way I do not think the evil would be so bad.

Q. What would be the effect, if a man had a hundred and wanted to bet? With whom would he bet?—A. They could select anybody they liked, but I do not think the evil would be half as great.

Q. That is for the committee to judge?—A. You are asking my opinion.

APPENDIX No. 6

Q. I never asked you your opinion at all.—A. You asked me my opinion about the two men.

Q. I asked you what would happen as a fact; I am not asking whether the evil would be greater or less.—A. I am trying to give it in a gentlemanly way.

Q. Tied with a string. I want your opinion as to the facts. Tell me of one instance within your knowledge of any bookmaker, either American or Canadian, having defaulted or done anything improper?—A. You would want me to produce dates for that. I will give you from memory, and I am giving everything from memory. I have heard——

Q. Not what you have heard.—A. What is it?

Q. From your knowledge do you know of any Canadian or American bookmaker ever having defaulted on the race track?—A. No, I cannot say that I do, but I have been called as an officer when citizens on the Woodbine race track complain about the bookmaker not paying them their bets.

Q. Some dispute about a ticket?—A. And I have told the bookmaker, after investigating the case at the time for the Toronto citizen, that if he would not pay it I would take him out of the box and arrest him.

Q. Was it a question about a ticket?—A. After the race was over.

Q. Some dispute as to whether it was on a particular horse or not?—A. No, he was not paying money that the man won.

Q. But what was the dispute between them?—A. The dispute was the citizen held that he won so much money, and held a ticket on the horse that won, and the bookmaker would not pay, but he did pay.

Q. What was the name of the bookmaker?—A. I do not know, it is some years ago.

Q. How long ago?—A. I am six years away from there, and it was some time prior to that.

Q. Any other instance?—A. There may have been another case.

Q. That is as far as you will go?—A. Yes.

Q. What knowledge have you of either Canadian or American bookmakers having been guilty of impropriety?—A. I have heard it said they had, on the track.

Q. Of your own knowledge?—A. I will explain that.

Q. I asked you the question of your own knowledge; do you know of any American or Canadian bookmakers having been guilty of improprieties on the track?—A. No more than that the public found fault.

Q. What did the public find fault with? First, when was this?—A. It was some time during my service.

Q. During the whole seventeen years of your service?—A. Yes.

Q. Is that as close as you can get to it?—A. I cannot get all the particulars, I am away from the books at Toronto I did not go down to get the dates. I will give you my reasons for it.

Q. What are your reasons?—A. Some particular days we have big races and good horses, and the announcement in the papers, tips on the races, and selling tips, and some of the talent are very good judges, and no doubt select a good horse; there is a lot of money put on the horse, and some times the horse did not win, and I have heard it said that the bookmakers had too much money on the horse, and the man who had the good horse lost his stake.

Q. Have you ever heard it said that the public tried to arrange that a horse should win or lose to beat the bookmaker?—A. I did hear there was a combination between the bookmakers and some crooked men.

Q. You have never found proof of that?—A. Very strong suspicion.

Q. No proof of it?—A. They did not come far enough to place it in our hands.

Q. So that in your seventeen years experience in Toronto on the detective force, that is the sum and substance of your knowledge as to the impropriety by either Canadian or American bookmakers?—A. Yes.

1-2 GEORGE V., A. 1911

Q. You made the statement, and please get away from your glittering generalities, and give me some day and date for this, because we have a right to answer you, and I think we can answer you. You said that you had made so many arrests that you exhausted the single and double patrol wagon. What year and what meet did that occur?—A. I think you will find that in the Toronto records of heavy days.

Q. There are heavy days in every race meet for the last twenty years. Will you pledge your oath when that was?—A. It was once in my experience when I was there. We could not get the wagon to come down for the prisoners.

Q. When was it?—A. Prior to 1904, some years ago.

Q. When?—A. I cannot say. I am speaking from memory and not from dates.

Q. You are not tying yourself down to any dates, which is very unsatisfactory.—A. Not as far as I am concerned.

Q. I want to get the year when the wagons were over-crowded?—A. I think it will be remembered by some of the officers.

Q. Give me the year?—A. I cannot.

Q. Is it not a peculiar circumstance when you cannot get the patrol wagon, or that the patrol wagon is over-flowing?—A. I know I had to load up the patrol wagon on that particular day, and we had more prisoners to go down and the telephone came that the horses could not stand it.

Q. Give us the year this peculiar circumstance which impressed your mind?—A. We have really so much of that kind of thing that we never paid any attention.

Q. It does not impress you. This is not an infrequent occurrence?—A. I am speaking of that occurrence.

Q. But you cannot give me the time. You have already said that that is a very frequent occurrence in the city of Toronto?—A. We have so many occurrences that you cannot commit to memory unless you write it down. We have hundreds of cases and if I had known that I would be called before your honourable committee I would have dates for it all.

Q. You say that the evils, crime, or misdemeanours that take place during the race meets are much more numerous than those which take place at the time of the exhibition?—A. For the time, I think so. We may not have as many people, but in proportion I think—

Q. Repeat that again; it is in proportion to the attendance?—A. To the attendance.

Q. In proportion to the attendance there is more at the race meet than at the exhibition?—A. No, I did not say that. I said to Mr. Raney that I did not think it was to be compared so far as the stealing and pickpocketing was concerned.

Q. You think there are more at the race meet?—A. Because people expose their money at the race track.

Q. You stated that there was more at the time of the race-track gathering than at the exhibition gathering?—A. I did not talk about the gatherings. I was not speaking about the number.

Q. You said more crime at the race meet time than at the exhibition.—A. I am not confining it to the betting at the track. I am referring to the general public.

Q. I am asking you what you said to Mr. Raney.—A. I said I did not think it was to be compared with the exhibition.

Q. What did you mean by that?—A. I meant so far as the bookmakers and betting were concerned.

Q. You mean the race meeting time was worse?—A. More opportunity.

Q. Is the race meet time worse than the exhibition time?—A. For crooks and thieves, I should say yes, in my time.

Q. How much worse?—A. I did not sum it up, I would have to go over it. The records in Toronto will show.

Q. The records show you are wrong?—A. I cannot help that. I am speaking of six years ago.

APPENDIX No. 6

Q. We luckily got the record from one of the officials who is here, and he says at page 190—

Q. Now, do you find that the misdemeanors existing or the misdemeanors brought to light each year, about the time that the race meeting takes place, are more numerous than those which come to your notice around the time that the Industrial Exhibition takes place?—A. Will you just repeat that question?

Q. Do you find that the misdemeanors brought to light that come into your court, are greater in number at the races than at the Industrial Exhibition?—A. There are more at the Industrial Exhibition, that is as to the number of offences committed?

A. How far back did he go?

Q. Some years?

Mr. RANEY.—1905 to 1909 inclusive?—A. I left in 1904.

Mr. RANEY.—You should read the qualifications.

Mr. MCCARTHY.—The number was greater and the amount of money taken was also greater.

Mr. RANEY.—The cases of picking pockets at the exhibition were all small amounts—two or three dollars—and at the Woodbine they were larger amounts.

Mr. MCCARTHY.—They no doubt took all they had at each place.

Q. The pickpocket that operates at the exhibition is the same kind that operates at the race track?—A. He is no respecter of persons.

Q. Takes all he can get on each occasion?—A. Yes.

Q. No particular difference in that individual, no matter where you find him?—A. No.

Q. He exists at large gatherings?—A. I would not say so.

Q. What would you say?—A. It depends on the inducement for the pickpocket, and they are all level headed fellows. The pickpocket sizes up his chances before he starts his operations.

Q. That is glittering generality; what does it mean? You find him certainly at the exhibition?—A. And often other places, too.

Q. Where?—A. Throughout the city. I found them in my own city, Brantford, and they were said to be the cleverest pickpockets in Canada, and I arrested them attending fall fairs.

Q. You would find them wherever they make up their minds there is a favourable place to ply their occupation?—A. Yes; I think they are no respecter of persons or places.

Q. I suppose the larger the gathering, and the more rush and crush there is, the better their opportunities?—A. The better their graft.

Q. You stated that the tout was connected with the bookmaker. No one has been here to argue that the tout is a desirable person—either the tout or the tipster?—A. No.

Q. It seems to be an agreed fact that they are undesirable, but where do you get your information that the tout is connected with the bookmaker in any way?—A. Well, I said that I believed, from my experience, being on the ground and having to arrest the tout, and having complaints from men who said, pointing to some one, 'this man or that man ran me up against a dead horse,' and I would investigate such cases.

Q. Have you ever heard of men who were run up against a live horse by these men?—A. Yes, and won money.

Q. The result is that the man who wins the money generally gives the tout a tip?—A. Yes, generally.

Q. So that the tout plies his occupation for gain?—A. Yes. He is a decent fellow, but not the calibre of tout we are speaking of.

Q. I do not know whether he is a decent fellow or not. He walks around selling his information in that way, and the man who gave the information about the dead

1-2 GEORGE V., A. 1911

horse may have been just as honest as the man who gave the information about the live horse, because it is uncertain?—A. Yes. Sometimes they are perfectly honest about it. I do not call such a man a tout.

Q. You are not here to decry the attendance at the Woodbine race track. It is an orderly gathering?—A. It has been conducted to the best of their ability.

Q. And the crowd is the usual holiday crowd, enjoying themselves in an orderly way?—A. Some of the best people in Toronto.

Q. And they are enjoying themselves in an orderly way?—A. Yes; people who go there for a day's sport.

Q. I should judge by your brogue you have no objection to people going there watching a horse race?—A. I like to see a good horse race, but I do not like to see a horse pulled.

Q. Do you mean to intimate that you have seen a horse pulled on the Woodbine race track?—A. No; I can only tell what I heard them talking about.

Q. But you would not venture to place a time or date that a horse was pulled on the Woodbine track?—A. No.

Q. They are very respectable men in control of the Woodbine track?—A. Yes.

Q. They punish anything of that kind when they suspect it?—A. They are always anxious to.

Q. You have seen jockeys and owners sent down on suspicion?—A. Yes.

Q. For suspected crooked work?—A. Yes.

Q. And in everything they do they tried their utmost to preserve the race track in its highest level?—A. As far as I know.

Q. You said that the Canadian bookmakers that you knew in Toronto were decent fellows?—A. As far as I know.

Q. Have always paid their way and paid one hundred cents on the dollar?—A. As far as I know. Mr. Orpen is a very nice, sympathetic man.

Q. And has done a lot of good throughout the city?—A. Yes.

Q. I think you will agree with me he has been a most philanthropic and charitable man?—A. Yes.

Q. You know of many instances in which he has exhibited great kindness?—A. Yes; and another thing, if he knew a man was hungry on the street, I have seen him put his hand in his pocket and give him a dollar.

Q. What position did you occupy when you were in Toronto? Was it similar to that which Inspector Archibald occupied?—A. No; he was staff inspector.

Q. What position were you in?—A. Detective work—criminal work all the time principally.

Q. You would be told something had happened and detailed to try and get to the bottom of it?—A. Yes; everything of that kind.

Q. You said—and again I do not like your glittering generalities—that there were scores who attributed their downfall to the race track. What do you mean by scores?—A. Scores, you know what that means; it might be twenty or thirty.

Q. Twenty or thirty; you are not going to tie yourself to anything?—A. I did not keep track of it.

Q. Of these twenty or thirty would you be prepared to swear that none had fallen long before they ever saw the race track or a horse?—A. No, sir, I would not.

Q. They may have been defaulters, who went down there to plunge to try and get even?—A. They might have.

Q. You do not know in most cases whether they were telling the truth or not?—A. I do not know, only what they told me. I know they used to bet and follow the track.

Mr. RANEY.—Follow the races?

By Mr. McCarthy:

Q. Follow the track you said?—A. That is practically the same thing.

APPENDIX No. 6

Q. Following the races—you mean a man who would bet in a pool room or handbook?—A. As a rule a man who would bet in a handbook when the races were on would go to the track.

Q. You had no experience of the handbook?—A. No.

Q. It was not in existence when you left?—A. It was but not very much.

Q. It has come into general vogue since you left Toronto?—A. It is a most disastrous business in my experience.

Q. Because that goes on for 315 days in the year, it is continuous, and people go and bet who never saw a race track?—A. Quite a number may. It is spread all over the city, and the sooner it is stamped out the better.

Q. You will agree with me in saying that if the tout, the tipster, the handbook man, and the pool room are successfully legislated against a great deal will be accomplished towards eradicating the evil if evil exists with reference to gambling on races?—A. I think so. I think if you were to stop the bookmaking on the track——

Q. I am leaving that out. If I stop the tout, the tipster, the telegraphic news, the handbook and the pool room and the advertising, will that not accomplish a great deal?—A. Certainly, I think it would, but I think you would have to reach a little further, and cut off the betting on the track.

Q. But that is not proposed by this Bill. This Bill only proposes to stop the bookmaker, and not to stop individual betting. You do agree that doing what I say would be accomplishing a great deal in what you think is the right direction?—A. I think it would be making a good start on the lines of moral reform.

Q. It has been contended on the other side that if you shorten the races down to ten or fifteen days, and only have two meets a year, and quite a space of time between and you keep the bookmaker under control, that the evil, if evil there be, will be largely eradicated?—A. Yes, largely. Of course it would not be altogether.

Q. That is a question of opinion, and if it were tried the opinion of the people who say it would be might be correct?—A. I think your citizens would have more money if they cut off half time.

Q. You are assuming the bookmaker makes large sums of money on all occasions?—A. No, not on all occasions; sometimes he loses.

Q. As the result of a meeting?—A. I think that is my experience.

Q. Have you much knowledge on that subject?—A. No.

Q. We are told the last two years the bookmakers went away from Toronto short?—A. I have heard what the bookmakers said.

Q. What did they say?—A. I have heard them say that so and so made a couple of thousand dollars, and another one lost a thousand dollars, but I really think they have ten to one against a man putting down his money.

Q. Let us see how you understand that. How do you explain the bookmaker has any chances over the better.

Q. You say ten to one?—A. I always considered that if a man put up a dollar or five dollars on the races if he was not in a position financially to put it up, it is two chances to one he would lose it.

Q. Where has the bookmaker any chance over the man who is betting? You are an intelligent man, answer the question?—A. I do not know. I think he has.

Q. Why?—A. I think the majority of men betting do not know really what they are betting on.

Q. That is a matter of opinion. Where has the bookmaker any chance over the man who is betting with him?—A. He has.

Q. Where?—A. He has so many horses in the race and odds on the different horses and sometimes a man betting only gets an even bet. We cannot tell. A horse may fall down in the race, and if a winning horse falls down and he has a lot of money on that horse he makes money, and the horse might be pulled.

Q. You think that is where he has a chance over the bookmaker?—A. I think so.

Q. That is the only reason you can give me?—A. There may be other reasons.

Q. What are they? You are here as an expert witness; give us them all?—A. I have not very much experience on the percentage of your chances.

Q. Are there any more chances than you have outlined?—A. There may be, but I have not committed them to memory.

By Mr. Moss:

Q. It is some years since you have been near the Woodbine?—A. I guess I have been down there.

Q. In a private capacity?—A. Yes.

Q. Six years since you have been there in your professional capacity?—A. Yes.

Q. Have you ever bet yourself?—A. Certainly, I have gone and put up a bet on a horse, and I have followed the man I have been after to try to catch him the same way, and I will give you my opinion about it.

Q. The bookmaker?—A. This is the smart fellow after you and me.

Q. Tell us what happened?—A. I will tell you this much; we have got to be quick—

Q. Tell us what happened on this occasion.—A. What occasion?

Q. When you put up your money on the race?—A. I could not tell you now, I forget.

Q. What happened? You said you put up money on a horse?—A. I never bet five dollars in my life on a horse. I bet a dollar on a horse. I could not afford to bet more.

Q. But you started to tell me that you did not put it up with the bookmaker? I ask you why you did not put it up with the bookmaker?—A. Yes, I did.

Q. I misunderstood you?—A. Yes.

Q. You did put it up with the bookmaker?—A. Yes, and fifty or a hundred people around at the time, and that is exactly where we catch our pickpockets. If the detective was to stand there the pickpocket is just as smart as the detective. He is always watching for the detective but if the detective puts up a dollar the same as the business man, the pickpocket has not the same chance.

Q. The pickpocket is around where the people have money?—A. Yes.

Q. You served under Chief of Police Grassett?—A. Yes.

Q. And you have a pretty high opinion of his standing, and his opinion on these subjects?—A. On this racing business?

Q. His opinion generally?—A. Good chief.

Q. I suppose you would think his opinion was entitled to a good deal of respect on a matter of this kind?—A. He has not the practical knowledge. He has to take these things from us.

Q. He told us he has not put a dollar on the races?—A. I would believe him, but he is not in the firing line.

Q. Perhaps the general gets a better idea of a battle than the man in the firing line?—A. He might lay out the ground and we might have to change our plans.

Q. Have you considered the question as to the effect of this Bill at all?—A. No, I am just here. I am very pleased to see you all again. I have not been down here for a good many years.

Q. Although you had a fling in the days of your youth and put up your dollar now and then, you think betting is a bad thing?—A. I do, and personally I am not in favour of it.

Q. Do you think it is possible as an experienced police officer, taking human nature as it is, not as you may think it ought to be, to stamp out betting altogether?—A. I do not think it is possible to bring it under control.

Q. Do you think it is possible to stamp it out altogether?—A. It may take a long time to do that.

Q. Do you think it is possible?—A. We would have to deal with it the same as any other thing. We have to deal with the murder cases.

APPENDIX No. 6

Q. I want your candid opinion. I am not trying to trap you. Do you think it is possible for Parliament to pass a law making all forms of betting an evil, and if that law is passed can it be administered?—A. They might not be able to make it so that you can stamp it out altogether. That is a very large question for me to answer; it is very strong.

Q. If Parliament passed a law prohibiting betting altogether everywhere, could that law be administered to such an extent that you could get reasonably satisfactory results?—A. I think you will do away with all this trouble if you have the proper officers to enforce that law, but there is nothing I can see to stand in our way. I will guarantee if you make the law we will enforce it.

Q. You will stamp out all betting?—A. Yes.

Q. Between individuals?—A. Oh no. That is not the question.

Q. I am asking you that?—A. I could not say that. We will do our best.

Q. I am asking you whether if Parliament passed a law making it illegal to bet in any manner, whether you think as an experienced officer that such a law could be successfully enforced. I would like to have your candid opinion on that?—A. I think we can. If you give us a law I think there is material enough in the police court and detectives of the Dominion to stamp out the evil spoken of.

Q. Betting of all kinds?—A. It would take us a long time to do that—all kinds of betting—that reaches the private room, and it would take an officer a long time to get into a private room. He would have to be very vigilant.

Mr. RANEY.—What is the use of discussing something which is not before the committee?

Mr. SINCLAIR.—You would have to enlarge the patrol wagon?—A. For a time, but I think if you make the law severe there will be quite a lot put on it after a while.

By Mr. Moss:

Q. You think you can stamp it out altogether?—A. I will do my part.

Q. Do you think the community will acquiesce in that?—A. I think you would have the community with you if you would stop book making.

Q. I am not asking you about bookmaking, I am asking about the betting.—A. If you go into that you would have to sit down and figure it out. It is impossible to stamp it out. It is a broad question for me to answer, and I would not like to say I could do it.

Q. If racing goes on you would not like to say you could stamp out all kinds of betting on the race course?—A. I think if you would give us the law we would stamp it out.

Q. I am speaking of gentlemen betting the same as anybody else?—A. I do not think there is any harm in one gentleman betting with the other as long as he does not carry it too far.

Q. You do not think the public sentiment would stand for prohibiting your friend from betting with you or gentlemen betting?—A. Gentlemen betting is not calculated to injure anybody.

Q. You do not mean that a person of a certain social standing is allowed to bet, and a person lower down could not bet?—A. I think you would have to give me time to draw the line between them. If I were one of the law makers I would help you out on that.

Q. Are you going to make it a matter of clothes as to whether a man can bet or not?—A. I do not think so. Because we find some of our pickpockets the best dressed.

Q. How do you mean gentlemen betting?—A. Gentlemen of sport who can run a race for a cup. I think that is clean sport, and have been in the athletic business all my life.

Q. I am speaking of betting generally, and I want to get your views, because it is very important. You do not think there is anything wrong in betting between gentlemen on the race course for the sake of the sport?—A. I do not think there is a law against it.

Q. We know there is no law against it. You think there ought to be a law against it?—A. I do not want to give my opinion on that point. I think it is very nice, clean sport. I am speaking of a certain class.

Q. I am asking a question, and I would like an answer.—A. If it is wrong to bet?

Q. If you think there ought to be a law prohibiting betting between gentlemen on a race course?—A. I do not say you should go that far.

Q. You would not go that far?—A. No.

Q. You do not think public sentiment would stand for it?—A. There is a latitude.

Q. There is British liberty and people will do as they like provided they do not interfere with other people.—A. Yes, common sense.

Q. If you allow your private well dressed gentlemen to bet in their private capacity, how are you going to distinguish when you get down to the race course between your private individual and your professional better who makes a living by it?—A. Oh yes you can.

Q. How are you going to distinguish?—A. The private gentlemen do not resort to the same methods of betting. They might put down a bet to-day and might not put down a bet to-morrow at all. I have found it that way with owners of horses. I do not think they bet on every race.

Q. How are you going to tell at the race track, where you have your well-dressed men, one of whom may be a pickpocket and the other a gentleman—how are you going to tell which is which?—A. I think we can, and I think a detective with so many years experience ought to be able to do it, without any information or description—he ought to be able to pick out a well-dressed pickpocket on the race track.

Q. I am not speaking of the well-dressed pickpocket, the well-dressed professional gambler.—A. I certainly think I can. I am not as clever as some detectives, but I think if I went down street and met you, and also met a professional gambler, I would be able to pick you out and say that you were a decent man.

Q. You think you could do that with my learned friend, Mr. Counsell?—A. Yes. He is from Hamilton—he is a gentleman.

Q. You think there would be no doubt about that?—A. No.

Q. You do not agree with Mr. Grassette and the others who have said the contrary?—A. If they have said it I do not agree with them.

Q. At page 153 of the evidence he said:—"If betting could be suppressed altogether, absolutely, privately and publicly, I would be in favour of it as distinctly as I could express myself, but I would be rather inclined to think that if the profession of bookmaking was abolished on the race track some substitute would be devised to take its place, and the last state of that man might be worse than the first."—A. I do not agree with him, because what we want to-day is up-to-date officers in all ranks, and when they apply themselves to the business they can pick out the crooked man.

Q. You think we have not a good police force in Toronto?—A. Yes, we have one of the best in Canada.

Q. What do you mean by up-to-date?—A. I am speaking of the men I have described. They ought to be able to pick out men who are crooked from their movements and general appearance; I have done it, and I am not very smart. I have done it at the Union Depot.

Q. If we get a police force composed of men all equally clever with you, would you be able to stamp out that evil?—A. Oh, you would want them cleverer than me, but I would do my part.

By Mr. Meredith:

Q. As a police officer, you have answered some very far-reaching and pretty difficult questions?—A. Yes.

Q. I would like to know exactly what your experience has been. We have had the evidence of the Field Detective Agency, and the evidence of the Assistant Superintendent of Pinkertons, and the evidence of Chief Grassett and Detective Carpenter,

APPENDIX No. 6

and as I recollect their evidence, it is entirely different from yours?—A. I cannot help that.

Q. That is your own misfortune?—A. I do not think it.

Q. Tell me when you first went into the police or detective business; what was the year?—A. I have had twenty-seven and a half years. I joined in 1875. I resigned—

Q. In 1875 you joined, in what capacity?—A. As a patrol man.

Q. What do you call the duties of a patrol man?—A. That is a regular constable on the beat.

Q. What did you do before you joined as a policeman in 1875? What had been your occupation?—A. In life?

Q. Yes, not in death; in 1875, before you joined the police force, what were you doing?—A. I will give you my history. I came out to this country in 1872—

Mr. MERIDITH.—I object to this. We want useful evidence. He is going to give us his history, we do not want that.

The CHAIRMAN.—He is beginning in 1872.

WITNESS.—I am trying to help you out all I can.

By Mr. Meredith:

Q. Let us have the answer.—A. I came out from the old country. I was raised on a farm—

By the Chairman:

Q. Beginning at 1872?—A. I left the old country to see my brother, who was in business in Toronto. I came out and remained with him for some time.

By Mr. Meredith:

Q. What were you doing in Toronto?—A. Running a baking business.

Q. Were you the head of it?—A. Yes, my brother owned the business.

Q. What was the name of the bakery?—A. Sleeman's bakery.

Q. How long did this go on? Did it fail or succeed?—A. It was first-class. I joined the police force then. I wanted outdoor life. I joined the force under Major Draper; then father came out from the old country.

Q. I am not particularly interested in your father. How long did you remain an ordinary policeman?—A. I was coming to that.

Q. Just answer that question?—A. It is divided. I resigned to accept another position after father died. I rejoined again in a year or two after, and I served for perhaps eight or ten years. I had the honour of doing duty at these buildings for seven weeks in Sir John A. Macdonald's time. I was one of the contingent of fourteen on the dynamite scare.

Q. You must have had an easy time at that. You were a patrol man in 1875, and remained a patrol man until your father died?—A. Yes.

Q. What year was that?—A. I forget exactly. I know I was only a couple of years on when he died.

Q. You resigned after two years?—A. Yes.

Q. Because your father died?—A. Yes, I was appointed in his place. He was manager or caretaker of the Ryerson school, and mother was living, and I resigned to look after her.

Q. Caretaker of what school?—A. Ryerson school, St. Patrick street.

Q. How long did you hold that position?—A. Perhaps a couple of years.

Q. You went back on the police force?—A. Yes.

Q. Why did you give up the position of caretaker in the school?—A. Because the position I went to was better—I had better chances in it.

Q. You went back to the police force in what capacity?—A. Patrol man.

Q. Getting how much?—A. Perhaps I would be getting about \$1.50 or \$1.75—I do not know exactly now.

1-2 GEORGE V., A. 1911

Q. How long did you remain in the police force as an ordinary patrol man?—A. I think, all told, perhaps, I would be about——

Q. But from that time, before there was any change in your position?—A. Probably eight or ten years.

Q. Then what happened? Did you get a promotion?—A. Yes.

Q. What promotion did you get?—A. Inspector Stark put me in the detective office?

Q. Were you an assistant?—A. No.

Q. A full detective?—A. I was in for a short time, and then promoted to full detective.

Q. How long were you in there as assistant?—A. Six months.

Q. And then full detective?—A. Yes.

Q. And kept on as a full detective until you resigned?—A. I moved up in pay.

Q. But your position remained the same?—A. Yes, until I became senior detective.

Q. Have you had any experience as detective on any other race tracks than Woodbine in Canada or the States?—A. I have been at the Hamilton meets.

Q. How often?—A. Not very often.

Q. Since you came from Ireland, have you been out of the province of Ontario?—A. Attending race tracks or otherwise?

Q. Yes.—A. Not attending race meets; but I have been in Mexico, in Denver, and all over after crooks, bringing them back.

Q. And you resigned, and you are not doing any work at all?—A. Oh, my dear man, I am chief of police of the city of Brantford, and I want to say that I never asked promotion. I moved up, as I have intimated.

Q. When were you made chief of police of Brantford?—A. 1904, about six years ago.

Q. Up to that time you were a detective in Toronto?—A. I am a detective there still, without pay, with a chance to go back in 1911. The position is open to me now.

By Mr. Blain:

Q. Are there any race meetings in Brantford?—A. No, I am sorry to say we have not got an exhibition even there.

Q. Have you had experience at any other race tracks except the Woodbine?—A. Except at Hamilton, they are about the same.

By Mr. Counsell:

Q. I understand that if you were to attend the Woodbine at the coming spring meet you would be able to distinguish the pickpockets and confidence men from the amateur gentlemen bettors?—A. I might. It depends on their movements.

Q. In a short time you would be able to pick them out?—A. There is a difference between those gentlemen and an honest man, something that I cannot explain, because it is in the profession.

Q. You can pick out the vagrants and pickpockets without difficulty?—A. I may have difficulty with some of them, because they are pretty shrewd, but I think we could do it pretty well if we had a number of men.

Q. Would the Pinkertons be of any assistance to you?—A. They are good men.

Q. Would they be of any assistance?—A. I think so. If they were drafted from the large cities in the United States; if you allow betting to go on, they are familiar with their own class of crooks and thieves, and I do say that they are certainly an assistance to the detectives in Toronto in that respect, because they are familiar and they know the kind of crooks that follow up such things as that.

Q. And they are of great assistance?—A. Yes.

Q. You left Toronto about the time the pool rooms were closed?—A. About that time.

APPENDIX No. 6

Q. They had been running up to that time?—A. They had.

By Mr. Raney:

Q. At Toronto Junction—not Toronto?—A. Yes, Toronto Junction.

By Mr. Counsell:

Q. There were some rooms in Toronto?—A. Yes.

Q. And they had telephone connection and things of that kind where you could make a bet any time you wanted?—A. Possibly they had.

Q. It was not difficult for a man to play the races if he wanted to?—A. It was not difficult.

Q. He could play them all the year round?—A. I think he could.

Q. And these score of cases you speak of, the excuse given in those cases was that they were playing the races?—A. Yes.

Q. You do not know as a matter of fact whether it was playing the races through the pool rooms or race tracks?—A. I do not know. It might be through the pool rooms. I have only what they say.

Q. Is it not more likely that it would be through the pool rooms? I mean where it is going on for 315 days in the year?—A. Part of it might. If they are in that kind of business they will frequent the pool rooms.

Q. Are not the chances greater of losing in the pool rooms?—A. I cannot say as to that because I am not familiar with it.

Q. Can you give me any idea of the percentage of those people that lost their money in the track or the pool room?—A. No, I cannot. They do not tell you altogether what they lose, but they will say they are dead broke.

Q. They might all have been in the pool room or the handbooks?—A. They might.

By Mr. Martin:

Q. The question I understand before the committee is not the question of preventing private betting, but the question of preventing the business of the bookmaker. If such a law as that is passed in your opinion can it be properly enforced?—A. To prevent the bookmaker?

Q. To prevent the business of the bookmaker as it is carried on at the present time?—A. I think you could enforce the law; if you pass that law it will be enforced, but there might be a little betting in private places that the authorities might not be able to reach.

Q. If you succeed in suppressing the business of the bookmaker would the evil which is supposed to exist at the present time be decreased?—A. Oh, it would be decreased very much, I think. You keep away the undesirable class I speak of. There are decent young men that cannot afford to bet.

By Mr. McColl:

Q. Are you correct in saying that it would keep away the undesirable class?—A. My opinion is that the evils would not be so great.

Q. Do you know anything about what has been the actual result of the doing away with bookmaking on the New York tracks?—A. No, I do not. I did not go into the question.

Q. We had a Pinkerton detective who gave us some information with regard to that, and knowing nothing about it yourself, you would not like to dispute his evidence?—A. No, I would not emphasize at all on his.

Q. Coming back to the Woodbine, a large number of people go there purely for the sport?—A. Yes.

Q. And as a part or an incident to the sport they desire to bet?—A. Yes.

Q. And a great many of the bets made there are two and five dollar bets?—A. And a good many dollar bets. There is one fellow who takes dollar bets.

1-2 GEORGE V., A. 1911

Q. That class of better bets purely for the sport?—A. Well, perhaps they do. There is quite a number of gentlemen bet for the sport.

Q. The other class of bettors—perhaps it would be a proper distinction to call them gamblers—bet with the bookmakers?—A. Yes.

Q. All the betting on the race track is made with the bookmakers when there are bookmakers there?—A. Yes, practically.

Q. Unless it be a hat pool?—A. I do not think there is any harm in that.

Q. Take the class of men who go there to bet with the bookmakers, the frequenters who go there to bet with the bookmakers—would they not go on the track if the bookmakers were abolished?—A. That is a very wide question. They might come to see what they could make, but the opportunities are cut off.

Q. The opportunities of betting with the bookmakers, but would it not increase the oral and private betting?—A. Make the law and it would stamp it out.

Q. This Bill does not prohibit private betting?—A. I do not think it would increase it.

Q. Supposing the Bill abolished the bookmakers and permitted private betting and permitted the owner betting on his horse?—A. Yes.

Q. Suppose that class of men who go to the race track, not for sport, but to bet with the bookmaker, went there, would there not be plenty of opportunity for them among themselves to do private betting, and still be within the law?—A. They might do quite a bit of it, but not nearly so much as with the books, and if it goes to any extent, I think the authorities could reach it.

Q. If the result is that in New York it has increased the undesirable class of betting—you would not dispute that?—A. I am not going to dispute anything about the other side. It largely depends on the efficiency of the authorities if you provide the law; and I could not speak anything about the United States on that.

Q. You mentioned one special day where you made so many arrests that you had difficulty in looking after them. Was there any special circumstance that had any connection with this crowd that got down to the track?—A. Yes, there was; from the fact that we had more thieves that day than any other day, and a big crowd. It might have been a big crowd.

Q. Would this be it: that an organized gang of thieves worked their way on the track that did not usually get there? Is that not the fact? They must have got on the track that day?—A. Yes, and other days, because we were pretty busy protecting our people.

Q. Has that been gradually improved in the last few years?—A. It may have been. I left there in 1904.

Q. And that class may have been entirely obliterated from the track in that time?—A. Inspector Duncan may be able to answer that question. I was not there, you see. I think Inspector Duncan will give you a fair idea of what it is at present, going back five or six years.

By Mr. Sinclair:

Q. Are you satisfied the bookmaker would not appear in another form, provided we prohibited him from operating on the race track?—A. I would like to know what form he could appear in.

Q. The present law is that a bookmaker cannot stand in a certain spot all the time?—A. Yes.

Q. He has to tramp around to do his business?—A. Yes; and that is most unfortunate.

Q. It is proposed that we prohibit the bookmaker operating at all, but that we allow the private better to go into the race track and bet as much as he pleases with any person he can pick up a bet with. What is to hinder the bookmaker from carrying on the business under those circumstances?—A. If you allow a man to go in and start to bet on the betting green there, I think they will go as far as they can, but you

APPENDIX No. 6

would have to put on restrictions where the authorities could deal with it—make the law so clear and give the authorities a chance to be able to stamp it out.

Q. Can you show us any way in which you could do it?—A. I would have to sit down for a while and think it out. It is quite a conundrum for even a professional man to think of, but I would like to help you—I really would. I would like to be with you in that. I think we could have it so that we could satisfy the community in looking after the so-called evil.

By Mr. Blain:

Q. Do you see any moral distinction between two individuals betting and betting with a bookmaker?—A. Speaking of the moral side of it, I do not think you can countenance betting at all. My opinion is that the man who bets least is the best off.

By Mr. McCarthy:

Q. That is your experience?—A. Yes.

Q. I think you have had more experience in betting than you have given us this morning?—A. You have drawn it out of me pretty well.

By Mr. Blain:

Q. You see no distinction from a moral standpoint?—A. As to the moral part of it, the whole thing is in the motive. What is the motive? If we can get at that, I do not see very much difference in the betting if it is carried on to a great extent with certain men who cannot afford to lose. It is an unfortunate thing. I suppose the habit will grow.

By the Chairman:

Q. If a law should be passed forbidding the professional bookmaker from carrying on his business on race tracks, can you carry out that law and enforce its obedience to the same extent you are able to do other laws?—A. I think there is no reason why they should not.

Q. Do you know of any way the bookmaker could evade the law if the law was passed against his operation?—A. I would have to give it some thought. He might devise some scheme if he were a cunning man.

Q. He might to some extent, but could the evil largely prevail in the face of the law prohibiting it?—A. I do not think it could.

By Mr. Counsell:

Q. Would it not depend on the definition of the word 'bookmaker'? Would you not have to define the word 'bookmaker'?—A. You might do that. I do not know.

The committee then adjourned until 2.30 p.m.

HOUSE OF COMMONS,

February 16, 1910.

The Committee resumed proceedings at 2.30 p.m., the Chairman, Mr. Miller presiding.

CHARLES SLEEMAN (resuming)—

By Mr. Counsell:

Q. What do you mean by the following that come over with the bookmakers?—A.

1-2 GEORGE V., A. 1911

As I have outlined, I mean the crooks, thieves, touts, pickpockets, flim-flammers, bank sneaks and that class of people.

Q. Do you mean that they are personally associated with the bookmakers?—A. That would certainly be a question to connect, to follow up the races and bookmaking.

Q. Can you connect them with the bookmakers personally?—A. Thus far, that on occasions such as the spring meet and fall meet, our city is visited by men of that type and we have made several arrests of outsiders from the other side. That is the connecting link I think.

Q. That is all the connection you know of between the bookmaking element, and this undesirable following you speak of?—A. That is the undesirable following.

Q. Pickpockets and touts?—A. And crooks and thieves.

Q. Do you connect them with the bookmakers personally?—A. Personally you could not connect them, only the fact of the privilege of selling bets at the races. They would gather around to men who are betting money.

Q. If you had what they call the machine there instead of the bookmaker, and the men were there the same way making their bets, you would still have the undesirable class?—A. They go where the crowd go, if you allow a machine or betting.

Q. I understand you to say the bookmakers were personally connected with the undesirable element?—A. I do not understand that. I gave it as the undesirables that followed up the bookmakers.

By Mr. Moss:

Q. They followed the races?—A. Yes.

By Mr. Counsell:

Q. Do you think the bookmakers are honest men?—A. I do not know them.

Q. Do you know any of them?—A. I know Mr. Orpen. He is a very decent man.

Q. Do you know Rod Macmahon?—A. Yes, I know him.

Q. Another bookmaker?—A. As far as I know he is all right.

Q. An honest man?—A. Yes.

Q. You would not think they had any connection with the thieves and pickpockets?—A. None at all. I did not say so. I did not refer to them.

By Mr. Blain:

Q. Would the undesirable element attend the races if there were no bookmaking?—A. No, I do not think they would.

Mr. McCOLL.—Because the exposure of money gives them a grand opportunity to snatch money and tickets, and pick pockets.

By Mr. Counsell:

Q. If there were no betting, you would not have the undesirable element?—A. I have seen the bookmakers when the crowd was so great and the betting so great that they could not take the money until the horses were off. Therefore pickpockets had a grand chance with money exposed in that way.

By Mr. McColl:

Q. Did you ever hear of pickpockets stealing from bookmakers; they are the men who handle large amounts?—A. Yes, there are cases I believe of that, and I will give you one; this man was arrested. I cannot say it was on our track. I will give you the instance. I arrested a pickpocket in an hotel by the name of Moran. He has a continental reputation as a professional thief, and he robbed some gentlemen at the hotel, and he got a year in the Central prison. It turned out he had been at a race track, and a lawyer from the other side came over to see him at the Central prison and called upon him. It was stated that he had robbed the bookmaker of \$1,000. It was said some compromise had been made as to that. I do not know but I arrested the man anyway, and he got a year.

APPENDIX No. 6

Q. That was a case of the theft of \$1,000?

Mr. McCARTHY.—In an hotel.

By Mr. Stratton:

Q. Did he steal it out of his pocket on the race track?—A. I am not familiar with the details.

By Mr. Counsell:

Q. This was on the other side?—A. Yes. I arrested him for going through gentlemen in hotels in the morning early, about five o'clock, and he was a perfect stranger. He was convicted before Col. Denison, defended by the late Nicholas Murphy, K.C. He got a term in the Central and during his term in the Central we got information that he had robbed a bookmaker on the other side.

Q. That is one of the evils arising from gambling?—A. I should think it is bad enough.

Q. To get a little more concise idea of the evils you speak of, of the scores of cases that come under your knowledge, you do not know whether they took place at the race track or in handbooks?—A. Of course it is said they took place at the race track. Some of them may have taken place with the handbook.

Q. You did not know you said?—A. When a man gets into trouble he sometimes attributes it to the race-track betting and sometimes he may attribute it to the betting on horses.

Q. Of your own personal knowledge, you do not know which was true?—A. No.

Q. Do you know of one single case in your twenty years experience of a man or a family who have suffered hardships through betting at the race track while the races were in progress?—A. I might mention probably a case, but I do not think it would be wise to mention men's names, even if they have been arrested or got into trouble, but it has been said that there certainly was a young man in an insurance company—

Q. Of your own knowledge, in your twenty years experience; one man, or any number that you know of who has suffered hardship through betting at the race track while the races were in progress?—A. What would you call hardship—going to prison?

Q. Yes, or bringing his family into hardship, or losing all his money?—A. I think there was a case in 1899.

Q. Of your own knowledge?—A. From memory. I was on the force then, where a young man was in an insurance company, and it was said—I do not know—it was said he attributed his trouble to playing the races. I cannot give it for a fact that that actually was so.

Q. You do not know whether he was playing the races in the handbooks or pool rooms which were in existence at that time?—A. He might have played both. I cannot say.

Q. Any other case?—A. Not just from memory.

Q. You do not know of a single case of hardship, embezzlement or fraud that has occurred at the race track while the races were in progress?—A. I have certainly had a number of complaints from women, wives; you take it for what it is worth. The trouble was that the husband or some member of the family was betting on the horses or playing the races.

Q. Hearsay?—A. Yes.

Q. You are familiar with all the pool rooms in Toronto?—A. Not all of them.

Q. You knew there were a great many?—A. There were more after I left.

Q. You knew the gambling rooms in Toronto?—A. Yes, there were not many.

Q. And you knew that gambling and betting on the horses went on all the year round?—A. It may have to a certain extent.

Q. In the pool rooms?—A. In the pool rooms from 1904 to the present time.

Q. You were twenty years there?—A. There has been enough of handbook

business going on unfortunately. I know that, and it is a bad business. You cannot be too hard on them.

Q. Then there is the evil from the handbooks?—A. Yes.

Q. You do not know of a single case of hardship from betting on the races while the races were in progress?—A. I have given you one.

Q. This was from playing the races you said?—A. It was attributed to the Woodbine track.

Q. You did not say that?—A. No, but you are asking me now.

Q. You said it was attributed to playing the races?—A. And the Woodbine track included.

Q. Did he tell you he was playing the Woodbine?—A. Playing the races and the Woodbine.

Q. He said attending the Woodbine?—A. Yes.

Q. You will swear on your oath you recollect that?—A. I do recollect that or I would not say it.

Q. You would not say it before?—A. You are asking it now.

Q. I asked you before?—A. I mean playing the races.

Q. Going on anywhere?—A. Going on anywhere and going on at the Woodbine as well.

Q. You did not know whether he was playing the races at California or the Woodbine?—A. I inferred it from what he said. I did not put questions the same as you are putting them to me.

Q. You said before playing the races?—A. I cannot answer you that question.

Q. You do not know whether he was playing the races at the Woodbine or in the handbooks?—A. He may or may not have been. I only know what he said.

Q. What did he say?—A. He said playing the races.

By the Chairman:

Q. Did he say anything about the Woodbine?—A. Oh yes, the Woodbine races.

Q. He mentioned the Woodbine?—A. Yes, he mentioned it.

By Mr. Moss:

Q. Was he a married man?—A. I think this was a young man that I refer to. He is not the only one that got into trouble. Probably there were more than him that said that to me. There is a young man you know and I do not like to mention the name. I would rather lift men to help them along.

Q. If a man, for instance, were spending his money on a fast woman, you would very much rather tell his wife that he lost his money playing the races than that he spent it on a fast woman?—A. Yes.

Q. It is a very convenient excuse?—A. Yes, and no doubt they have been used many a time.

By Mr. Raney:

Q. Mr. Sinclair raised the question with you as to the enforcement of the law. What effect would the making of the penalty of imprisonment without the option of a fine have in your opinion in the enforcement of the law?—A. Decidedly a greater improvement than with a fine.

Q. I understand the book makers do not care much for a fine of \$100?—A. They are in a position I suppose to pay it better than the ordinary man.

Q. Your record was looked into and you have handed me a letter written you on the 4th of November by Inspector Stark, Deputy Chief Constable of Toronto. He says: 'As requested I send you herewith your record as a member of this force, which is certainly a creditable one.'—A. Yes, I have received praise for meritorious conduct and I am still a member of the police force.

APPENDIX No. 6

F. W. LYONS, sworn :

By Mr. Raney:

Q. What is your occupation?—A. Sergeant at the Central Prison?

Q. Toronto?—A. Yes.

Q. How long have you been there?—A. Thirty years.

Q. Have you some notes with you of statements made by prisoners in your presence who are now in the Central prison?—A. I have.

Q. I have copies of them here, and I will read them to you, and you can correct me—

Mr. COUNSELL.—I submit it is hardly fair to offer statements of this kind, without the opportunity of cross-examination.

Mr. RANEY.—I purpose, with the consent of the committee, putting the statements before the committee. This statement will be available and it cannot get away.

The CHAIRMAN.—I think that is fair. I speak, of course, subject to the approval of the Committee. Take the case of the Directors of that National Breeding Bureau of Montreal; one of them wrote that a member of the bureau would attend and put in sworn statements from the other. I think a statement verified would be receivable.

Mr. COUNSELL.—If I had been on Mr. Raney's side I would have objected.

Mr. MCCOLL.—There is a distinction between the statements of reputable men doing business and a statement of convicts.

Mr. COUNSELL.—We have Mr. Sleeman making statements about the terrible evils in so many cases, but when it comes to cross-examination he only recalls one case where a man suffered, and it was from playing the races, but not at the Woodbine.

Mr. MCCOLL.—I think the statements of the convicts are thoroughly unreliable.

The CHAIRMAN.—The committee may consider that this is a statement of a man in the Central Prison.

Mr. MOSS.—We should know how these statements are obtained, and for what purpose. He had better lay the foundation and put these in.

Mr. COUNSELL.—I submit a statement made to a warden by a convict is not permissible unless we have an opportunity to cross-examine.

The CHAIRMAN.—It is for the committee to say what evidence they want to hear. I think what we all want to know is what amount of evil, if any, does come from the practices we are endeavouring to eliminate. Surely the best way to get that evidence is from men who have had experience. In considering the value of that evidence, we will consider where and from whom it comes.

Mr. RANEY.—This committee has the power to bring all these men here.

Mr. MCCOLL.—How many statements are there?

Mr. RANEY.—About half a dozen.

Mr. MCCOLL.—What were they convicted for?

Mr. RANEY.—All for different things.

Mr. MCCOLL.—I would like to see what they were in for.

Mr. RANEY.—False pretenses, night riding, theft, burglary, receiving stolen goods, robbery and assault, embezzlement, house breaking.

The CHAIRMAN.—You might ask how the evidence was obtained.

By Mr. Raney:

Q. Were these statements made in your presence?—A. Yes.

Q. At whose request did you procure them, or under whose instructions?—

A. Dr. Gilmour.

Q. Who is he?—A. Warden of the Central.

By Mr. Moss:

Q. He instructed you to do what?—A. He spoke to me at the time about several men that had been sent there for supposed misappropriation of funds, being spent by gambling.

By Mr. Counsell:

Q. Did you have a letter?—A. I could not answer that.

Q. Did you have written instructions?—A. No.

Q. Did he have any written instructions?—A. I could not answer that.

By Mr. Moss:

Q. Your instructions were to inquire from every member in the Central prison?—
A. No, just anybody I thought had been in connection with the race course—anybody that had been sent there.

Q. Sent where?—A. To the Central prison.

Q. Everybody was in there under sentence, or awaiting sentence?—A. All under sentence.

Q. You were instructed to use your discretion as to whom you should examine, were you?—A. No.

Q. What were your instructions?—A. To get a list of all names of men that had been sent there for frequenters of the race track, or jockeys, or men sent there for some depredation.

Q. These men were not sent there for depredations at the race track; they were not all connected with the races. House breaking is not connected with racing?—
A. By no means.

Q. Explain what you mean?—A. I explained that these men were frequenters of the race track.

Q. How did you know?—A. From the statements of some of these men, the prisoners.

Q. Before or after they were in jail?—A. Both.

Q. You were given carte blanche to inquire among the prisoners as to the men who had frequented the race track?—A. He asked me to get a list of the men I knew, such as jockeys and rubbers and men that had been sent to the prison for following the race track.

Q. A man sent there for house breaking is not connected with the race track?—
A. These men had followed that pursuit some time or other. They were either jockeys or rubbers or stable boys.

By Mr. McCarthy:

Q. Were any of these men jockeys?—A. Yes.

Q. Which one?

Mr. RANEY objects.

Mr. MEREDITH.—As far as my clients are concerned, anything that will throw any light on this thing we want to have. We want to meet this on the moral aspect apart from any other consideration. There are only six names, and if the six witnesses come here, and we have an opportunity to ask such questions as we wish, we shall be glad. But to have somebody come here to give an ex-parte statement without an opportunity to cross-examine, we submit is not proper.

Mr. MOSS.—Evidence manufactured last Friday?

Mr. RANEY.—My learned friend handed in letter after letter from persons in Montreal. I care not whether the letters be signed by bank managers or any other official, this evidence is precisely in the same position as the evidence which Inspector Duncan gave with this additional factor, that in nearly all these cases we have the signatures of the men themselves, and in addition I offered to bring the men here, if the committee desired to have them brought.

By the Chairman:

Q. Have you any knowledge of any of these cases of the facts, aside from the statements of the men themselves? Could you say in any of these cases, 'I know this to be the fact'?—A. One man that I have working almost personally for me up

APPENDIX No. 6

there, I know he was sent there for stealing funds entrusted to him, and that he had spent them on the race course.

Q. That is one of these cases?—A. Yes.

By Mr. Monk:

Q. Do you know that from his statement, or from your personal knowledge?—A. I took it from a newspaper report at the time, and when the man came up there it was general talk, that this man I am speaking of now had taken a certain amount of money, and been down at the race course playing it several days.

The CHAIRMAN.—How can any man have that knowledge unless he had it from hearsay? How can any man have a personal knowledge whether it is true whether a man had lost his money on the race course?

Mr. MOSS.—That makes it all the more important to have the men here.

Mr. MONK.—A man in for stealing will give that for an excuse. He thinks there is something about that confession that redeems him.

Mr. RANEY.—The same objection would apply if the man were brought here.

Mr. MONK.—I would be inclined to think so.

Mr. RANEY.—Then if you were going to adopt that course the investigation might as well close. You shut the door.

Mr. McCOLL.—The distinction between those cases and the cases referred to by Inspector Duncan is this. He gave facts that came out in the trial, as I understand—

Mr. COUNSELL.—In some cases.

Mr. MOSS.—Duncan's evidence, for whatever it was worth was evidence of records and statements taken at the time the men were convicted, and taken without reference to this inquiry. This is on an entirely different plane, because this is taken for the very purpose of this investigation.

The CHAIRMAN.—So is all the evidence brought here.

Mr. RANEY.—Mr. Moss subpoenaed Chief Grassett to come here and he had in his pocket the memo. which Inspector Duncan had made at the chief's request. My learned friend did not ask for it. He did not want it. I did not want it from Chief Grassett, because he was antagonistic. I put Duncan in the box and he produced a memo which he had made at the request of my learned friend's witness, which he had not himself produced.

The CHAIRMAN.—Mr. Raney has suggested that we receive the statements. It may be the committee will not consider them of much importance, but if the statements are filed and if the committee think it is of sufficient importance to have the witnesses here, they can request that they be produced.

Mr. McCOLL.—We will take the statements as a committee, and they will not go on the record and will not go to the public.

Mr. COUNSELL.—In the statements prepared by Messrs. Archibald and Duncan there was the necessary connecting link. They said the men had suffered through playing the races. There is a well known distinction between playing the races and betting at the race track. In ordinary parlance playing the races is handbooking. The little phrase was added in at each case 'at the Woodbine.' Mr. Sleeman gave us scores of cases in which he led us to believe it was at the Woodbine, but on cross-examination he only gave one case, and when pressed he said it was at the Woodbine. It is the zeal that I object to.

The CHAIRMAN.—Have you equal objection to zeal on both sides?

Mr. COUNSELL.—If my statement is due to zeal I object to it. There is a great distinction between the evils of race track betting and handbooking. We have inspectors from Hamilton and other places who say they do not know of a single case of evil arising from the betting at the race track.

The CHAIRMAN.—Shall we take the statements and read them and decide later whether they shall go into the records or not?

Mr. BLAIN.—There is nothing to conceal about these statements is there?

1-2 GEORGE V., A. 1911

Mr. RANEY.—No. I asked Mr. Gilmour if he would have a census made of the prisoners at the central prison to inquire and ascertain if possible the reason of their being there, and I gave him a little statement of questions that I would like him to ask the different prisoners, and he called me up on the phone and said 'this means putting a man on the work for a week, and I have not one to spare.' And I said, 'if you cannot do that, ask one of your men to pick out any cases he knows of or has reason to believe are connected with this matter and to get statements from them.'

Mr. BLAIN.—I think that is all right.

The CHAIRMAN. Let us have the statements, and the committee shall decide whether they shall go into the report or not.

Mr. RANEY.—Shall I read them?

Mr. McCOLL.—No; the committee will read them.

Mr. MARTIN.—Although perhaps this evidence may not be admissible, we have gone so far in admitting hearsay evidence that I do not see how we can exclude this.

Mr. RANEY.—My first idea was to ask you to subpoena these men, but you would have to have at least one officer for each man you bring down to Ottawa, and I thought it would be better to avoid that if possible.

The CHAIRMAN.—We filed resolutions from the horse breeding associations. The language was the same as in the petition sent to the House. It was not verified. We took it that it was from the Horse Breeding Association. We have not been particular.

Mr. Moss.—That is on an entirely different plane. That is resolutions of bodies who desire to express their opinion.

Mr. RANEY.—No evidence of their signature.

Mr. Moss.—This is supposed to be evidence of fact, not of opinion at all—statements of fact.

Mr. RANEY.—More valuable.

Mr. Moss.—And more necessary that they should be properly subjected to all the ordinary safeguards, and we should not have the statement of criminals taken under these circumstances thrown on the public record as being evidence of question of fact.

Mr. MONK.—I think we may hear these cases, and decide afterwards whether we will accept it as evidence.

Mr. Moss. And not let it go on the record in the meantime?

Mr. MONK.—No.

Mr. MEREDITH.—I would ask that Mr. Raney's letter of instructions and the questions he wished put to these people be filed.

Mr. RANEY.—There was no letter. I submitted certain questions which I desired the warden to have answered by the prisoners, and he told me it could not be done.

The CHAIRMAN.—It was not carried out.

Mr. MEREDITH.—But that was the beginning of the result we have to-day.

Mr. SINCLAIR.—Were those questions used in the case of the six prisoners who made answers?

Mr. RANEY.—No.

Mr. SINCLAIR.—You have not the method that was adopted in approaching these men?

Mr. RANEY.—No.

Mr. SINCLAIR.—A man might go to a prisoner and say, 'Have you been at the races; did you lose any money there?' or he might say, 'What was the reason of your downfall?'

Mr. MEREDITH.—If one can imagine himself in the Central Prison, he can realize that if a man comes to him and is feeling pretty badly, and a man wishes to get certain information, the prisoner is very apt to chime in with what the person seeking information wants, and I ask this committee to try and put themselves in that position.

Mr. RANEY.—That is the argument for what it is worth.

APPENDIX No. 6

Mr. MEREDITH. And that is why I declare my willingness that these men should come before us; but do not let us have the evidence given by a man who has these people absolutely in his power. If I were in that position, I would give him practically what he wanted.

(Mr. Raney then read statements of the prisoners.)

Q. Have you other cases within your knowledge besides these?—A. Only from what I have been told by the men themselves.

Q. What were those?—A. I have a man acting in the capacity of a clerk for me up there.

Q. That is not Campbell, is it?—A. No; I had a man come down from Windsor.

Q. What about this man that acted as your clerk?—A. He was brought back from Detroit, as I have been told—I am not alleging it as a fact—he was brought back from Detroit for clearing out with some funds of the Walkerville firm and playing them on the race track.

By Mr. Counsell:

Q. You did not get him to sign a statement?—A. No; I am simply speaking of this man. That prisoner worked for me as clerk.

By Mr. Moss:

Q. Is he out?—A. He is out, and doing well.

Q. Then it is some years ago?—A. Yes.

Q. How many years ago?—A. I think it was in the year 1890.

Q. 1890?—A. I mean 1900.

Q. Any other cases?—A. Yes; another man was sent there from Toronto, sentenced for eighteen months, for much about the same thing.

Q. What were they sentenced for?—A. For taking money entrusted to them.

Q. Where was the money spent?—A. They told me they had used it on the race track.

Q. Did they say what track?—A. This Toronto man said at the Woodbine race track, and the other at Fort Erie.

Q. When was this?—A. 1898, this man Campbell—there are just the three men I can look back to.

By Mr. Raney:

Q. Is it not your business to inquire about the men?—A. No.

Q. These are just casual cases?—A. Yes.

By Mr. Moss:

Q. You have told us all the cases that came to your notice during your presence at the Central prison?—A. Yes, that I have any recollection of.

Q. Last Friday you were instructed by Dr. Gilmour to make inquiry amongst the prisoners?—A. He just said to me 'when you have got time, you might make a list of any of the men that you know that have been working around race courses, looking after horses, or any of the boys that have been sent here for playing the races and that is all that was said to me by Dr. Gilmour.

Q. You made a list of them?—A. Yes.

Q. You gave him those names?—A. I did.

Q. Did you conduct the inquiry or did he?—A. He did not have anything further to do in the matter.

Q. Who took the statements?—A. Mr. Raney took the statements.

Q. You were not present?—A. Yes, I was present.

Q. Mr. Raney took the statements in the prison?—A. Yes.

Q. And you were present?—A. Yes.

Q. And Mr. Raney asked the questions, and who wrote the statements?—A. Mr. Raney wrote them out—well, Mr. Raney's clerk.

1-2 GEORGE V., A. 1911

Q. Wrote them out at Mr. Raney's dictation?—A. No, at the dictation of the prisoner, what the prisoner had to say. The question was put to the prisoner.

Q. It was not taken down question and answer. Those statements were not dictated by the prisoner. Will you swear on your oath that those were taken down from dictation from the prisoner?—A. They were taken down, just what the prisoner had to say.

Q. From Mr. Raney's dictation?—A. After being asked, on the question being put to the men, Mr. Raney dictated the narrative as he understood it from the answers. Just about that.

By Mr. Monk:

Q. What part of the Central prison was it in?—A. In the library.

By the Chairman:

Q. Were the notes taken down in shorthand?—A. No, just briefly, as they are written here.

By Mr. Moss:

Q. These men were brought down from their cells to the library?—A. From the workshops.

Q. Into the presence of Mr. Raney and his clerk and you?—A. Yes.

Q. And after Mr. Raney questioned them, he dictated the statements of what they were to sign?—A. Just as it appears here.

Q. He dictated what they were to sign?—A. The questions he put.

Q. What questions?—A. He simply asked the inmate what he was sent there for, and he told him.

Q. Do you mean to say that is all Mr. Raney said?—A. I do not.

Q. He cross-examined them?—A. Yes, to a certain degree.

Q. And then he got their story out of them and dictated the narrative on their story?—A. Yes.

Q. And then they signed it?—A. Yes.

By Mr. Raney:

Q. Was any material thing omitted that these men stated?—anything that was material to be stated?—A. That is, any statement that they made?

Q. Yes?—A. No, it was just what they said.

Mr. Moss.—I submit this is going too far. I submit we should have an opportunity of cross-examining the men before it goes to the public.

By the Chairman:

Q. Was any hope of reward of any kind held out to the men?—A. I heard of nothing. I was there the whole time.

Q. It was intimated that they were promised a shortening of their sentences?—A. I did not hear anything of the kind.

By Mr. Stratton:

Q. Did they answer the questions themselves?—A. Yes.

Q. With the help of an explanation?—A. They were asked the questions and they stated what their occupation was and what they followed.

By Mr. Counsell:

Q. How many times was Mr. Raney down there?—A. I only saw him Friday afternoon.

APPENDIX No. 6

Q. When was this statement signed?—A. At the same time; that statement was read to the men there and signed that afternoon.

Mr. RANEY.—I will be glad to have these men brought here.

Mr. MARTIN.—Why did you not ask Mr. Moss or somebody representing the other side to be present when the statements were taken down?

Mr. McCOLL.—Was the Rev. Mr. Shearer with you?

Mr. RANEY.—No.

Mr. MCCARTHY.—I want more strenuously to object to this class of evidence and the method of obtaining it. It is absolutely irregular and improper in my opinion. It is idle for me or any one else to ask if any offer of reward or gain or advantage was made to these prisoners. It is common sense that if you obtain access by means of a government or of a warden of a penitentiary, and have the prisoners called before you in a private room in that institution, that you must have had some kind of a pull, or some kind of something to get there and to have that done, unless you had an order of the court compelling it.

The CHAIRMAN.—Would you like to have the prisoners brought here?

Mr. MCCARTHY.—I am not discussing that now. I am discussing the attempt to get that kind of thing, and I may say you have difficulty in seeing a prisoner who is your client if you want to be instructed and yet we have these men appearing before Mr. Raney and his clerk, and these statements secured. I protest against this evidence, and I say that any prisoner would expect that he was gaining some little advantage to himself by giving these gentlemen what they wanted in a case of this kind.

Mr. BLAIN.—Was the Minister in the Ontario government in charge of this department consulted, or his consent given?

Mr. RANEY.—Not as far as I know.

Mr. McCOLL.—As far as I know the warden took it upon himself. How many convicts have you in the central prison at the present time?—A. We have 415.

Q. And these in the limited time you had were all that you had time to inquire about, or were they all you know of that ever had any connection with the race track?—A. How I got at that was just from common talk around that you see in these newspaper reports. I have known a great many of these men before they went on the track in the neighbourhood of Toronto. This man Smith who is spoken of came over from the other side, and it was noted that he was a jockey, and when a man is admitted to prison his occupation is noted down, and that is how I arrived at that.

Q. From looking over the record that is kept there, when a man is brought in you take down a description of his business?—A. Yes.

Q. And that record will show you all that claim to have been jockeys?—A. Yes.

Q. Something of that kind?—A. Yes.

Q. And that would help you in arriving at the proper party you should interview?—A. I did not look that list over. It just struck my eye in passing around where the men were.

By Mr. Counsell:

Q. Were all these statements signed at the same time?—A. All that are witnessed by me.

Q. That Friday afternoon?—A. Yes. There are two not signed.

Q. This typewritten statement was signed in your presence Friday afternoon?—A. Yes.

Q. How was it typewritten?—A. I had seen these two men before, and these two statements were read over in Lyons' presence, and this witness.

Q. Did you read this statement to them?—A. That one of Johnston's was given to him. It was read to him, and he read it himself.

Q. And this is one of Calahan's?—A. The same way.

Q. When was Mr. Raney down there before?—A. I could not tell you that.

Q. Did you furnish him with that statement?—A. No.

Q. When did he get this statement?—A. He says he got it before.

Q. From whom did he get it?—A. He did not get it from me.

Q. Do you know from whom he got it?—A. He says he got it from the prisoner himself.

Mr. RANEY.—Your witness Leggatt referred to those two men, and I pursued the matter.

Mr. COUNSELL.—Are you going into the witness box?

Mr. RANEY.—No, I am telling you I went up to the prison and got these statements.

Mr. MCCOLL.—Do you know whether it is a practice in the Central prison for anyone who wishes to go to interview prisoners?

Mr. RANEY.—I should think if the purpose is a proper one, it should be permitted.

Mr. MCCOLL.—It cannot be done in our county jail.

By Mr. Counsell:

Q. Robert Costello's statement is not signed. Why is that?—A. He made the statement there. He did not see that it would do a great deal of good for him to sign it. He thought there were enough witnesses to vouch for what he said. He is one of those boys who would just as soon sign it—he did not care.

Q. Did you sign your name as witness?—A. Yes.

Q. Was that before he signed it?—A. No, he did not sign it.

Q. It was before he refused to sign it?—A. No, after.

Q. Why did you sign it as witness?—A. He said, 'surely, there is enough of you to witness it.'

Q. What about Oliver Brown? Why would he not sign the statement?—A. He said he had an awful lot of good friends on the race course, and did not wish to do them any harm. He said they did not do him much good while he was there, and he said there were some of them he would like to get back at.

Mr. RANEY.—If my learned friends desire it, we will bring these men here.

Mr. MOSS.—We object to the statements going in as evidence.

The CHAIRMAN.—I think the committee would like to know whether the solicitors opposed to the Bill would like to have these witnesses called.

Mr. MOSS.—We do not see why we should be called upon to say. We say that it is an improper and unfair thing, and should not have been tendered. It is for Mr. Raney to say.

The CHAIRMAN.—The committee note the objection raised, and have not come to any decision as to whether these statements shall be printed with the evidence. It will be handed to the stenographer if we decide to print it.

THOMAS W. BATT, sworn.

By Mr. Raney:

Q. What is your business?—A. Butcher.

Q. In Toronto?—A. Yes.

Mr. RANEY.—I desire to make the same request as in the other cases. This man is in business, and does not want to be advertised as a race-track gambler. He will also mention other names which should not be published.

Mr. MOSS.—Has he been convicted of any crime?

Mr. RANEY.—Let me finish. I was also going to ask the committee—and I do so with more emphasis than I did on former occasions—to suggest to the press that the

APPENDIX No. 6

names of any persons whom Mr. Batt may mention be not used in the newspapers. I am asking it with more emphasis than I did before, because, though the Chairman urged that that request be respected, it was not respected by all the newspapers. One can understand Mr. Batt's reluctance in coming here, and his reluctance in giving the names of others.

The CHAIRMAN.—I think the press did not understand the request made last time, or they would not have published the names, but I think in this case they will not publish them.

Mr. MOSS.—What is the ground on which this man claims protection?

Mr. RANEY.—He is a race-track gambler.

By Mr. Raney:

Q. Is it so, that you have been playing the race tracks for ten years?—A. Yes.

Q. When did you stop? Or have you stopped?—A. Yes, I have stopped.

Q. When did you stop?—A. 1910.

Q. When?—A. I went one day, on the 1st January.

Q. And on the 1st January, 1910, you lost your last money?—A. Yes.

Q. You are not a man of much education?—A. Not a great pile.

Q. Where did you begin race-track gambling?—A. Dufferin Park..

Q. That is Mr. Orpen's track?—A. Yes.

Q. That is the track where the Metropolitan Association conducts meetings?—

A. Yes, sir.

Q. For ten years or more there have been trotting races on that track all the year round a couple of days a week?—A. Yes.

Q. You are in business now as a butcher in Toronto?—A. Yes, half in and half out.

By Mr. Moss:

Q. Which half is in?—A. I am practically broke through the tracks.

By Mr. Raney:

Q. You have a store now where you carry on business?—A. Yes.

Q. You began there, and you went there on Wednesdays and Saturdays?—A. Yes.

Q. And about that time, did you also begin going to some other race tracks?—

A. From there I struck out at the pool room at the Junction.

Q. Orpen's pool room?—A. Yes.

Q. And after that, what next?—A. The Woodbine.

Q. And what other track?—A. Fort Erie.

Q. And Hamilton?—A. Yes.

Q. And did you each year follow the track around Woodbine, Hamilton, and Fort Erie?—A. Yes.

Q. And have you made any estimate of what it has cost you for the past ten years to do this kind of business?—A. I guess I would spend a thousand dollars a year at it.

Q. Did you spend all you made?—A. Just about. Of course, I had my living and clothes once in a while.

Q. Are you married?—A. Yes.

Q. How old are you?—A. Thirty-three.

Q. Any children?—A. Five.

Q. I understand that Mr. Orpen had a meeting of the Metropolitan Association last fall.—A. Sure he did.

Q. A forty-day meet; did you attend that?—A. Yes.

Q. Did you have much time left for the butchering business?—A. No, we did not care much about the butchering business, as long as we saw the races.

1-2 GEORGE V., A. 1211

Q. Did you attend the Woodbine and Hamilton and Fort Erie every year?—
A. Yes.

Q. Almost every day at the races?—A. Yes, sometimes I would miss on Saturday.

Q. Sometimes you would not have anything to go with?—A. Yes.

Q. Saturday is a big day for business?—A. Yes, we have to get a little money on Saturday to give it to them on Monday.

Q. Did you begin attending the Woodbine about ten years ago?—A. Yes.

Q. What would your losses run to in a day?—A. I have lost sometimes \$150.

Q. What did you lose on the 1st January?—A. \$70.

Q. Never any gains at all?—A. Oh, yes, once in a while.

Q. What have you found your chances to be? I suppose you have made thousands of bets with the bookmakers in the ten years.—A. Oh, I have.

Q. Were the bets all with the bookmakers or pool room?

Mr. COUNSELL.—Handbooks.

A. Not handbooks. I could not get large enough bets with the handbooks.

By Mr. Raney:

Q. What would you estimate your chances to be, as the result of your ten years' experience? One in five, one in ten, or what?—A. It is pretty hard to beat them.

Q. You did not succeed? Could you estimate how much money you actually wagered during those ten years?—A. I would get a little back once in a while, I suppose maybe twenty-five thousand I have bet in that time.

Q. And out of that your losses would be ten thousand dollars?—A. Yes.

Q. Why did you continue this kind of thing?—A. I liked the game. It is fascinating.

Q. Did you try to quit?—A. Tried lots of times.

Q. Why did you not quit?—A. I would quit till I got some more money, and would go back again.

Q. You quit when you had to?—A. Sure.

Q. Of course, in that ten years' experience, going to the Woodbine and Dufferin, and by train to Hamilton and Fort Erie, you must have met hundreds of men?—A. Yes.

Q. Made the acquaintance of other men doing the same thing?—A. Yes.

Q. Did you go to Fort Erie and Hamilton, and return the same day, or remain?—A. Always came back from Hamilton, but stayed at Fort Erie.

Q. Right through?—A. No, about three days.

Q. You made the acquaintance of a great many men who were doing the same thing?—A. Yes.

Q. What do you mean by that? Men who had no businesses, or men who had business like yourself?—A. Men like myself.

Q. What occupation?—A. Butchers, grocers, hotel-keepers, labourers, milkmen, blacksmiths, all kinds.

Q. Did you know of any of them who ever got ahead of the game?—A. Yes, got ahead one day, and then they would be broke the next day.

Q. Do you know of anybody who is ahead of it as the result of sticking to it?—A. No.

Q. How many men of this class have you known—scores or hundreds or what?—A. I know a lot.

Q. Would you number them by scores or by the hundred?—A. I could name twenty-five like myself that have gone out of business by betting at the race tracks.

Q. Who have been ruined by it?—A. Yes.

Q. Did you sit down since I communicated with you first, and make a list of names that came to your memory?—A. Yes, I wrote down about fifty names.

APPENDIX No. 6

Q. Have you the names in your pocket?—A. Yes, I have, but I would not like them to be published. I might get stabbed.

Q. Do you remember a man who committed suicide at St. Patrick's Market some years ago?—A. Yes.

Q. Did you know him?—A. I did.

Q. Where did you know him?—A. I knew him at the pool room.

Q. And on race tracks?—A. Yes.

Q. And did you know the cause of his suicide?—A. Well, he went broke.

Q. Had he been a man of substance?—A. He was a man of business.

Q. What business?—A. Butcher.

Q. Good line?—A. Yes.

Q. Until he started the race tracks?—A. Yes.

Q. Did he succeed on the race tracks or not?—A. He went to pieces.

Q. How long did that take?—A. I guess it took seven or eight years.

Q. How long ago is it since he committed suicide?—A. I should judge five years ago.

Q. Do you remember another man who committed suicide?—A. Yes.

Q. Was he a friend of yours?—A. Yes, I knew him.

Q. What had been his business?—A. Well, he practically did not have any business. His father left him about fifty thousand dollars.

Q. Where did that go?—A. It went on the track, the biggest part of it.

Q. What tracks?—A. Different tracks.

Q. The Woodbine?—A. The Woodbine, Fort Erie, Hamilton, Windsor.

Q. What tracks did this man who committed suicide attend?—A. The Woodbine, pool room, and Fort Erie.

Q. Then the man to whom the father left fifty thousand dollars—did he attend all these tracks too?—A. Yes.

Q. Did you often see him there?—A. Yes.

Q. How long did it take him to get to the suicide?—A. He went a pretty hot pace for a few years, and then he blew the top of his head off in Buffalo.

Q. Do you know Withers, who killed his mother and wife in Toronto, day before yesterday?—A. Yes, I know him.

Q. What was he?—A. He used to work around the Dufferin track scraping off the track sometimes, and touting around a bit, and working round.

Q. Do you know a man who is working in a departmental store, in Eaton's, a butcher?—A. Yes.

Q. What is his history?—A. Went out of business.

Q. What was his business?—A. Butcher business.

Q. How long did he have the business?—A. Until a year ago.

Q. How long ago had he been playing the races?—A. About fifteen years ago.

Q. Where had he been playing the races?—A. All over.

Q. Did he have a good business?—A. Yes.

Q. Where did his money go?—A. To the race track.

Q. Woodbine, Fort Erie and Hamilton?—A. Yes.

Q. Do you remember the case of the barber?—A. Yes.

Q. What was his case?—A. He went near bughouse, when he lost his money.

Q. I suppose that means he went crazy?—A. Yes—well, he did not go crazy, but pretty near it. I stayed from 9.30 till four o'clock in the morning with him.

Q. After he had lost his money?—A. Yes.

Q. Why?—A. To keep him from beating his wife. Of course he would have a little whisky in on top of it.

Q. How much did he lose?—A. He had \$500 saved up in the bank, and he would try \$100 to-day and \$100 to-morrow until finally he lost all he had.

Q. When was that?—A. The Metropolitan races.

Q. The last meeting?—A. Yes.

Q. Was he a frequenter of the Woodbine too?—A. Yes, Woodbine, Hamilton and Fort Erie.

Q. I suppose it is the same old crowd that makes the circuit?—A. The same old bunch practically.

Q. Did this man resolve after losing all this money to stop betting?—A. Yes.

Q. Did he stop?—A. Well he is betting 25 cents and 50 cents a bet now.

Q. With whom?—A. The hand-book men.

Q. Of all these men you have known, do you know one of them who would be glad to see the bookmaker put out of business?—A. Not one of them, they would all like to see him put out of business.

Q. Would you like it yourself?—A. Yes.

Q. Why?—A. Because a man could settle down to his own business then.

Q. And you would not have the temptation?—A. No.

Q. Have you tried to resist going to the race track?—A. Yes.

Q. And staying at your shop?—A. Yes.

Q. Why did you not do it?—A. I had a good thing.

By Mr. Stratton:

Q. You thought you had a good thing.—A. Yes, some of those touts would come along from Dufferin track, some of the coloured boys.

By Mr. Raney:

Q. Do you remember an old man, formerly a tout, who was at one time a grocer in Toronto?—A. Yes.

Q. The man who took you to the Woodbine the first time?—A. Yes.

Q. How much money did he have when he retired from business?—A. Thirty-five or forty thousand dollars.

Q. What does he do?—A. He goes round and would go to an hotel, and get one man to buy him a glass of whisky and another man to buy him a good cigar.

Q. Does he tout at the Woodbine now?—A. No.

Q. Did he spend his money in whisky or at the race course?—A. He used to like his little drink all right, but it would take him a long time to get rid of it that way.

Q. Do you know that he spent it on the race course?—A. Yes.

Q. Where?—A. All over.

Q. Did you see him betting?—A. Yes.

Q. And all those you have spoken of—did you see them betting?—A. Yes.

Q. You bet with them?—A. Yes.

Q. Stood beside them?—A. Yes.

Q. Is that so of the man who lost \$35,000?—A. I did not see him get rid of it all.

Q. You knew he was a heavy loser on the track?—A. Yes, and he got some of mine.

Q. Do you know a bread driver?—A. Yes.

Q. What about him?—A. He had a good job, making about \$20 a week, and when the Hamilton races started he thought he would go up to Hamilton.

Q. Did he have a wife and family?—A. Yes.

Q. What year was this?—A. Just this last year.

Q. Last fall?—A. Yes. I saw him draw out \$385 from the bank, which he had saved up and he got rid of it in four days.

Q. At Hamilton?—A. Yes. I have not seen him since.

Q. Do you know if his family knew where he is?—A. He lost his job.

Q. I ask you, do you know if his family knew where he is?—A. No, his brother does not know. I was talking to him the other day.

Q. He left Toronto?—A. Yes.

APPENDIX No. 6

Q. Is his family there now?—A. Yes. He is not in Toronto, and his wife does not know where he is.

Q. How much did you lose at the Woodbine last year, do you remember?—A. No.

Q. How much did you lose at the Hamilton meet?—A. I did not keep any track.

Q. Do you remember when ten of you were coming home in the smoking room in the train together?—A. Yes.

Q. Tradesmen?—A. Yes.

Q. What about them?—A. They were all broke.

Q. All Toronto tradesmen?—A. Yes.

Q. Coming back from Hamilton?—A. Yes.

Q. Had they put up much money?—A. They would come away maybe with \$65 or \$70 in their pockets.

Q. How many names did you say there were in that list you have in your pocket?—A. Fifty names.

Q. Whose cases correspond with the ones you have been telling me about?—A. Just about the same.

Q. Men who have been put out of business by playing the horses?—A. Yes, a young fellow just went out of business the other day on Yonge street.

Q. What had been his business?—A. Butcher.

Q. They seemed to be peculiarly—?—A. They are a bad bunch, they like to gamble.

Q. You know the butchers better than the other trades?—A. I know the grocers, too.

Q. Do you know a real estate man who lost heavily?—A. Yes.

Q. Do you know the extent of his losses?—A. \$3,500.

Q. Within what time?—A. The last five years, but he got the worst rap up at the Dufferin Park, the bull ring.

By Mr. Counsell:

Q. What is that?—A. Abe Orpen's track at Dufferin Park.

By Mr. Raney:

Q. What is a bull ring?—A. A half-mile track.

Q. Do you remember the case of the young man who bought out your butcher business?—A. Yes.

Q. Paid you \$500 for it?—A. Yes. I was up to Hamilton one day and came home broke, and sold out to him for \$500.

Q. How long did he last?—A. He lasted seven months, until the races opened at the Woodbine.

Q. He went there?—A. Yes, and of course he did not have a big pile, I suppose he lost maybe three or four hundred, just enough to close him up.

Q. That was the end of him in the butcher business in Toronto?—A. Yes, seven months.

Q. You remember a millman?—A. Oh, a lot of them.

Q. Who have gone this way?—A. They have lost heavily.

Q. And a shoe man—do you remember a shoe man?—A. Yes.

Q. What about him?—A. He went out of business.

Q. Put out by the tracks?—A. Yes.

Q. Were these fifty men all frequenters of all these tracks?—A. Yes.

Q. And all retail dealers?—A. Yes.

Q. Or men in that class?—A. Yes.

Q. Is that fifty all you have known?—A. Oh, no, that is just all I could really think of at the time, that I know of, but I know lots more who have gone to the bad—hundreds of them.

Q. Through the same influences?—A. Yes.

Q. During the ten years have there been men who have been following it as steadily as you have?—A. Yes.

Q. Reaching the same end you have reached?—A. Yes, sure.

Q. Do you remember the case of a young man who went north the other day and either committed suicide or reached his death at all events?—A. Yes. He left the Woodbine track one night and he was found away up north.

Q. Frozen to death?—A. Yes.

Q. Had he had heavy losses at the Woodbine?—A. Yes.

Q. Just before that?—A. Yes.

Q. Did you know him?—A. I knew him.

By Mr. Monk:

Q. Where is your place of business in Toronto?—A. Bloor street.

Q. What number?—A. 942.

Q. Have you talked with many of these men about the bookmakers and this business?—A. Yes, I have talked to a lot of them. I was talking to some of them last night.

Q. What did they say?—A. They wished it was in hell.

Q. What?—A. The horse-racing business, the whole thing.

Q. The horse-racing would not hurt them if there were no bookmaking?—A. No.

Q. You have never, yourself, bet with a hand-book man? You would not think that worth while—A. No, I have not bet much with them.

By Mr. Sinclair:

Q. With whom did you bet last January? Was that a race?—A. That was at the ice racing. There is ice racing there to-day.

By Mr. Raney:

Q. At Dufferin Park?—A. Yes.

Q. And you could give me the particulars of all those fifty names you have in your pocket if I took time?—A. Yes.

Q. They all came to the same end?—A. Yes, some of them are going yet, one leg in and one leg out.

Q. Some of them reformed and quit it?—A. Yes, some few have gone back to work and got to quit.

Q. Some few have quit it?—A. There is a man working at Eaton's; he has not been at the track since they closed up his shop, and the bailiffs went in.

Q. You know scores of cases of men who have gone to the bailiff through this?—A. Yes.

By Mr. Moss:

Q. Let us see that list?—A. Here it is.

Q. Are these all Toronto men?—A. Yes.

Q. Do you know their addresses?—A. No.

Q. None of their addresses?—A. No, I do not know their addresses.

Q. You cannot give us the addresses of any of them?—A. No.

Q. Not one of them?—A. No.

Q. Not if you tried?—A. Some of them are dead, and a young fellow that was up on Yonge street has gone to Detroit.

Q. Do you swear on your oath that you cannot give us the address of any single one of these men?—A. I could not here. I would have to find out their addresses. I know where some of them live.

APPENDIX No. 6

Q. That is their address is it not?—A. Yes, but I could not really tell you their numbers.

By Mr. Raney:

Q. A good many of them have gone out of business altogether?—A. Yes.

Q. You could tell where they did carry on business?—A. Oh, yes.

Mr. Moss.—Before the witness leaves the committee room I would like him to give us information as to where these men are?—A. I would not want these names published.

Mr. RANEY.—You could number them, and refer to the numbers.

By Mr. Moss:

Q. Are you a Toronto man?—A. Yes.

Q. Born in Toronto?—A. No.

Q. Where were you born?—A. Newfoundland.

Q. How long have you been in Toronto?—A. Twenty-five years.

Q. Came here as a boy?—A. Yes.

Q. When did you go in the butcher business?—A. Thirteen years ago.

Q. When you were twenty years of age?—A. Yes.

Q. Started of your own accord?—A. Yes.

Q. Did you have some money of your own?—A. No.

Q. Just opened up business?—A. I had \$65.

Q. And started in on credit?—A. Yes.

Q. Rented a store?—A. Yes.

Q. And bought your meat on credit?—A. Yes.

Q. And you have carried on a butcher business ever since?—A. Yes.

Q. At 942 Bloor street?—A. No, I was on Brunswick avenue at first.

Q. How long were you there?—A. Ten years.

Q. You have only moved to Bloor street recently?—A. About three years ago.

Q. How much money have you made out of your business each year? —A. The first three years I was in business I had made—well, close to one thousand dollars a year. Of course there was more money in the business then than there is to-day. I had about \$3,000 saved.

Q. You had made \$1,000 a year over and above your living expenses?—A. Yes.

Q. You were not married then?—A. No.

Q. When were you married?—A. I was married nine or ten years ago.

Q. And the first three years you made about \$1,000 over and above your living expenses?—A. Yes.

Q. And then got married?—A. Yes.

Q. And you have been carrying on business ever since?—A. Yes.

Q. And you are carrying on business to-day?—A. Yes.

Q. Do you own your stock?—A. I do not own it all.

Q. You have a rented store?—A. I do not own anything.

Q. What rent do you pay?—A. Fifty-five dollars a month.

Q. Do you own your stock of meat?—A. Well, practically.

Q. You own it?—A. Well, sure.

Q. You have a good business?—A. Fairly good.

Q. What did you mean by saying that you were a ruined man?—A. Well, I owe about close on to \$3,000.

Q. Who to?—A. To different people.

Q. For betting?—A. Oh they have got the betting money.

Q. What do you owe money for?—A. Stuff—for meat, for different kinds of stuff.

Q. So that you have your business now and you owe \$3,000?—A. I guess \$2,500 would cover it.

Q. Do you not know exactly?—A. No.

Q. Do you keep books?—A. I have about \$1,000 worth of accounts on the books.

Q. You owe about \$2,500?—A. Yes, practically, if I went out of business I would not have a sou.

Q. In the meantime you are getting a living out of it?—A. Yes.

Q. And you are paying your rent?—A. Yes.

Q. And keeping your creditors satisfied?—A. Yes.

Q. They are not kicking?—A. They kicked sometimes.

Q. You gave up betting on the 1st of January last?—A. No, on the 2nd.

Q. It was not a New Year's resolution?—A. Well, I started off bad on the new year.

Q. Have you given it up for keeps?—A. Yes.

Q. You are sure of that?—A. Gad, I do not think they will ever get any more of my money whether the Miller Bill passes or no.

Q. You started betting ten years ago at the Dufferin track?—A. Yes.

Q. Just about the time you got married?—A. Yes, around that, I had some money then.

Q. When you got married you thought it a good time to start in betting and get extravagant?—A. The other old fellow started me on.

Q. Who?—A. The old fellow that lost the money, he took me down—that tout.

Q. Your wife and family have been living with you ever since?—A. Yes.

Q. Never any trouble with them?—A. No.

Q. Your wife never complained about not having money?—A. No.

Q. Did your wife know of it?—A. Yes.

Q. Did she kick?—A. Yes, sure.

Q. Did she always have all she wanted?—A. As far as eating is concerned.

Q. And clothes?—A. She could have got a lot more clothes.

Q. She had enough?—A. She had enough to cover herself.

Q. Enough to hold up her head in the community?—A. Yes.

Q. You were not ashamed of her?—A. No.

Q. Do you consider your life a closed and sealed page, and that you are a ruined man?—A. If I kept on going to the track it would be.

Q. You think it would be?—A. Going in the hole the whole time.

Q. You have not gone very fast?—A. No.

Q. You started with nothing?—A. You see I have worked pretty hard in that ten years night and day.

Q. I thought you were following the races all the time?—A. I would be working all the forenoon, practically the forenoon, and at night I would come home and pluck chickens, and make lard, and work maybe until one and two o'clock in the morning and go to the register at night and take the money that came in and be down at the track next day again.

By Mr. Raney:

Q. To get plucked yourself?—A. Yes

By Mr. Moss:

Q. You thought you were working pretty hard?—A. I was.

Q. Which of these men was the man that had the \$30,000? Is he on the list? There is a man here, a Mr. M——. He is the man that first introduced you to the race track?—A. Yes.

Q. And you gave him the money to bet in the first instance?—A. Yes, I have given him money.

Q. Is that the way you started, or how?—A. Yes, sure.

Q. Where did you meet him?—A. In the shop.

APPENDIX No. 6

Q. He came into the shop?—A. Yes; and he knew all the good things and the horses that were going to win the next day, and he would take the money and put it on them, and then it was gone.

Q. He was a customer of yours?—A. He used to be in business on the same street. I knew him when he was in business.

Q. How long had he been in business?—A. I was just a kid. I knew him.

Q. You knew him before he came into your shop?—A. Yes.

Q. How long?—A. I have known him ten years, I guess.

Q. You had known him before you went into the butcher business?—A. Yes; I was a kid driving a butcher cart when he was in business.

Q. What was his business?—A. Grocer and real estate.

Q. When he first came in and interviewed you in your shop about going to the races, was he then running the grocery shop?—A. No.

Q. He got money from you to go down and bet on the races?—A. I would go with him.

Q. He would bet it for you?—A. Yes.

Q. And he would tell you that you had lost?—A. He would say, 'Tom, give me \$25, or give me \$35, and we will put it on that horse,' and I would have the ticket; and if that would lose, he would come and say, 'We will have to get our money back, give another \$35.'

Q. It was while that was going on that he said he had lost this \$35,000?—A. Oh, I knew it.

Q. How did you know it?—A. I knew he was worth a lot of money.

Q. You knew he kept a grocery store. What more did you know?—A. In the real estate business, and he owned two or three big houses down below the shop; he told me himself, and he showed me the houses he owned.

By Mr. Raney:

Q. That he used to own?—A. Yes.

By Mr. Moss:

Q. And he was in the real estate business?—A. And grocer.

Q. Do you know how deep he was in the real estate business?—A. Only the houses that he owned; he would sell an odd house once in a while and buy again.

Q. Do you know how much of his \$35,000 he lost in the real estate business?—A. No.

Q. Do you know that about that time was a pretty bad time in the real estate business?—A. Yes, it was pretty bad.

Q. And a man who was dipping in real estate was liable to lose his money?—A. Yes, he was. I knew a lot of people that pulled through that did not play the races.

Q. And I suppose lots pulled through that did play the races?—A. I think not many.

Q. That is all you know about him. Did he ever tell you he had lost \$35,000 at the race track?—A. Yes, at the race track.

Q. Did he tell you that when he got your money?—A. No.

Q. When did he tell you?—A. When he seen I was getting in too deep.

Q. As a warning?—A. Yes, practically.

Q. Did you quit going with him then?—A. Sure I did.

By Mr. Counsell:

Q. He was a dead one?—A. And I was getting educated in the game, and could handle my own money.

By Mr. Moss:

Q. You gave him up as a guardian, and went in on your own hook?—A. Yes.

Q. Is that the last you saw of him?—A. No, I saw him the other day.

1-2 GEORGE V., A. 1911

Q. Is he still giving pointers and tips to people?—A. Yes.

Q. He is a tout?—A. He does a little of that.

Q. Is he not a tout?—A. I could not really call him a tout.

Q. Is he not a tout and tipster?—A. I could not really call him that.

Q. Is he not really that on your oath?—A. Sure; he gives tips to-day, I believe, although he has not given me any tips.

Q. He is a tipster?—A. He was practically a tipster when I was doing business with him, but I do not know what he is to-day.

Q. He was when you were doing business with him?—A. Yes, he had come down to that.

Q. In addition to betting at the Dufferin races—and you bet more there than anywhere else?—A. Yes, I had more time in at the Dufferin.

Q. That was close to your business?—A. Yes.

Q. In addition to that you bet in the pool room?—A. Yes.

Q. At the Junction?—A. Yes.

Q. Lose a great deal of money there?—A. Yes.

Q. Bet on the foreign races?—A. Yes.

Q. Never bet with the handbook men?—A. No.

Q. Never?—A. Oh, yes; I made two or three bets.

Q. Two or three a year?—A. No; just two or three altogether.

Q. Two or three in your life?—A. Yes.

Q. Have you ever bet on anything besides horse races?—A. Yes, a little.

Q. Hockey matches?—A. Yes, I bet \$35.—I put up \$25 to win ten at the time Varsity played Parkdale.

Q. On whom did you bet?—A. I bet \$15 the week before on Ottawa to beat Varsity, and I lost my money, and I says 'to get squared up now I will put up \$50, but I could not get \$50 up, so I bet \$25 to win ten.

Q. And you got your money back?—A. No, I have not got it to-day. I have not got my \$25 yet.

Q. With whom did you put it up?—A. With the real estate man that lost the \$35,000.

Q. The man that lost the \$35,000 has the \$25?—A. Yes, and the ten I won.

Q. Did you bet on any other football matches?—A. I have quit the foot ball.

Q. Is that the only one you ever bet on?—A. That is all.

Q. Ever bet on hockey matches?—A. No.

Q. Nothing else?—A. I have bet on prize fights.

Q. What ones?—A. A few.

Q. You have bet on most of the important prize fights?—A. Yes.

Q. How much did you bet on the prize fights?—A. Five or ten dollars.

Q. Or twenty?—A. No.

Q. What is the most you ever bet on a prize fight?—A. Fifteen dollars.

Q. That is the most?—A. Yes.

Q. You have bet on most every prize fight that has come along?—A. Yes.

Q. No matter where they were. We have not had any prize fights in Toronto?—A. Oh, Ireland, England and everywhere.

Q. How about Longboat and Dorando?—A. I am pretty well squared with Longboat. He does not owe me any money.

Q. Have you followed him pretty closely?—A. Sure, I won \$25 on him one day, and I won ten on him another day, and I went and put my \$25 on him and lost it.

Q. You have bet on Longboat nearly every time he ran?—A. Not lately. He has been a back number, when he was in good shape I bet on him.

Q. When you thought it was good judgment?—A. Yes.

Q. You came out square?—A. Yes, I am ten dollars to the good.

Q. Did you ever bet on base ball?—A. No.

Q. Ever bet on a chicken fight?—A. No.

APPENDIX No. 6

Q. What else have you bet on?—A. That is all.

Q. Ever bet on a boat race?—A. No.

Q. Lacrosse?—A. No, not a dollar.

Q. Ever play cards?—A. No.

Q. Never played cards in your life?—A. Never played a game in my life.

Q. Are you a temperance man?—A. No.

Q. You are not a temperance man?—A. No, I never seen many that went to the track that played the races that was temperate.

Q. You do not get anything to drink at the track?—A. Oh, take a little with you on a cold day.

Q. Did this old gentleman teach you to drink? Was that part of your education?—A. Oh, no.

Q. You knew about that before?—A. Oh, yes, I had had a glass of beer.

Q. Did you give up drink on the 2nd of January?—A. No, I did not swear off that.

Q. You have not sworn that off?—A. No. It does not do to swear off too many things at one time.

Q. You do not want to get too good all at once?—A. Sure not.

Q. You said you knew twenty-five men that had been ruined by race-track gambling. Do you accede to that description?—A. No.

Q. Are you a ruined man?—A. No, I am too young to be ruined.

Q. You do not look badly ruined?—A. No.

Q. You do not give a very bad account of yourself?—A. No.

Q. Are these other twenty-five men that have been ruined as bad as yourself?—A. There are some of them gone down and out practically.

Q. How many of them?—A. There may be ten.

Q. Will you swear there are ten men that you know that have gone down and out practically?—A. I could swear to twenty-five, but not just lately.

Q. During the whole time of your career?—A. Yes, I can swear to fifty.

Q. That have gone right down and out?—A. Yes.

Q. What do you mean by that?—A. Have lost their business and money and some of them their soul.

Q. You had perhaps better not undertake to speak about that. You will swear on your oath that you have known fifty men that have gone down and out during that time?—A. Yes.

Q. Is that the list you have given us here?—A. Oh, no. Part of them is fellows that I know at the track who are heavy losers, and swear every time they leave the track that they won't go back again, and they go up the next day.

Q. Was there a good deal of betting on that Varsity-Ottawa football match?—A. No.

Q. You do not know?—A. Oh, no, there was not a big pile.

Q. Do you know, because I am told there was very heavy betting; if you do not know say so?—A. No, I do not know, I could not swear to it.

By Mr. Sinclair:

Q. How did you get these bets put up on Longboat? How did you find people to bet with? Was there a bookmaker?—A. No, private.

Q. Where did you find him? Just on the street?—A. May be at the Dufferin track.

Q. Is all that betting on a race of that kind done by certain men out privately?—A. No. Suppose I knew an hotel keeper, I would go to the phone and say, 'how are you betting on the race?'

Q. Would the hotel keeper be a betting man necessarily?—A. Well, I guess so.

Q. Most of them?—A. Yes.

1-2 GEORGE V., A. 1911

Q. But you have to go and search him out, to find a man to bet with?—A. Certainly you would have to know him.

Q. It is more difficult than it is in the case of a horse race where the bookmaker is on the spot?—A. At the track you put up your money, and when the race is over it is gone, or it is coming, and in the other game you have to wait until the race is over, and it has to be put up before the race, and it might be put up two days before the race starts.

Q. Would there be any more difficulty in betting than if there were a bookmaker? We are proposing to abolish the bookmaker and to allow people to bet privately?—A. You will never stop betting privately.

Q. We cannot stop two people putting up a private bet if they wish. We think that cannot be done. You say there is no bookmaker in the case of betting on Long-boat?—A. No.

Q. Nor in the case of a hockey team?—A. No.

Q. You always find somebody?—A. Yes.

Q. Do you have any difficulty?—A. Sometimes you do.

Q. Do you think you would have any difficulty in finding people to bet with if there were no bookmaker?—A. If I had a horse I was racing, and some other man had a horse, I would bet him may be \$100 that mine could beat his. You would not need a bookmaker for that.

Q. Suppose we abolish the bookmaker, and make it illegal to make books at all, you go down to the Woodbine track, and have some money in your pocket, how would you go about it?—A. If there was no bookmaker they could bet with themselves as far as they went.

Q. You would look up the men you knew that were betting men?—A. Yes.

Q. But it would be more difficult to find them?—A. Yes, it would be very difficult to do without a bookmaker.

Q. You think that by stopping the bookmaker we would stop betting to some extent?—A. We certainly would.

By Mr. Moss:

Q. But you probably would have gentlemen like your friend with the \$30,000 down there looking around for bets?—A. No, he could not take no bets.

Q. But you might have men of that class?—A. Yes, but they would not be allowed to put up the board if the bookmaker was done away with.

Q. But they would be allowed to be there and to have people bet with them?—A. It is hard to do it that way.

Q. And it is hard to collect your bet if you win?—A. Yes, because you cannot find him, you do not know where he has got to.

Q. And anybody who did bet under those circumstances would have a worse time collecting than with the bookmaker?—A. Yes.

Q. Do you think the attendance at the races would fall off a good deal in that case?—A. Yes.

Q. People would not go to the races?—A. Not nearly as many.

Q. These two cases of suicide you speak of—do you know anything more about those than what appeared in the papers?—A. I have seen them gambling.

Q. And you knew they committed suicide?—A. Yes, sure they did.

Q. The paper said that?—A. Yes.

Q. You do not know anything about the causes that led to suicide?—A. I knew one was dead broke.

Q. Which one was that?—A. The butcher.

Q. We will call him M—. Was he the one that commenced business five years ago?—A. Yes.

Q. Where did he carry on business?—A. On Gerrard street.

APPENDIX No. 6

Q. Do you know whether he went to the pool rooms?—A. Yes, he went to the pool rooms.

By Mr. Raney:

Q. And to the tracks too?—A. Yes.

By Mr. Moss:

Q. Was he a drinking man?—A. Not a heavy drinker. He liked his glass of beer.

Q. Liked two or three glasses of beer?—A. Yes.

Q. He was not a friend of yours particularly?—A. I knew him well.

Q. Did you meet him at the race track?—A. Yes.

Q. An acquaintance?—A. Yes.

Q. You were not in his confidence in any shape or form?—A. No, he was in the same business, he had often been in the shop.

Q. And you knew he was in the habit of going to the races, and in the habit of going to the pool rooms?—A. Yes

Q. And you knew he was reported by the newspapers to have committed suicide; that is all?—A. That is all about that.

Q. What about the other man? What do you know about him?—A. Practically the same.

Q. What was his business?—A. He did not work at all.

Q. He had been left about \$50,000?—A. Yes.

Q. What was his name?—A. Stewart.

Q. Charlie Stewart?—A. Yes.

Q. Did he go to the pool rooms as well as to the race track?—A. Yes.

Q. Was he a drinking man?—A. Yes, he liked his glass.

Q. Was he a particular friend of yours?—A. I knew him well.

Q. Just the same way as you knew the other fellows?—A. Yes, I used to take meat to his home, where he lived.

Q. Do you know whether he gambled in stocks or not?—A. I could not say.

Q. You do not know whether he gambled in real estate?—A. No.

Q. You do not know whether your other friend gambled in stocks or real estate?—A. I do not think so, not the other one.

Q. You do not know about the \$50,000 man?—A. No.

Q. Do you know about any of these men, whether they were gambling in other things?—A. I have seen them betting; outside of that I do not know.

Q. You have seen them betting at the race track?—A. Yes, and that is what they reckoned their downfall was from.

Q. Men do not talk about their downfall in smoking cars?—A. Don't you forget it. There are a lot of little things that they talk about.

Q. You talked about that on the 2nd of January, when you were making your New Year's resolutions?—A. They talked about that.

Q. They were squealing?—A. Yes. When they are doing that for years and years, they cannot help but squeal.

Q. But they go back the next day?—A. Sure, that is where the bookmaker has got them, and that is where they get their money.

Q. About your New Year's resolutions, have you given up betting of all kinds?—A. There is only one thing I can bet on in 1910 outside of the first day.

Q. What is that?

Mr. MCCARTHY.—Black or white?—A. The fight.

By Mr. Moss:

Q. You are going to have a bet on the fight?—A. Yes.

Q. When that is over you are going to quit betting?—A. Yes.

Q. On whom are you going to bet?—A. On the white man.

Mr. STRATTON.—You are going to lose.

By Mr. Blain:

Q. Some witnesses who have appeared before the committee have stated that there was considerable hand-book making in butcher shops and cigar stores in the city of Toronto? What is your experience on that?—A. My experience is there is a whole lot of it.

Q. Any books made in your own shop?—A. Not at this shop, but a few years ago.

Q. On Brunswick avenue?—A. Yes, I used to take a few bets.

Q. Do you think it is carried on in a great many butcher shops?—A. Not a great deal; butcher shops are a bad place for that.

Q. What other places?—A. Barber shops, cigar shops, hotels, flour and feed stores, bar rooms, drug shops.

Q. Do you think there is any distinction between betting on a prize fight and a horse race?—A. You cannot bet on it so often. The prize fight only comes once in a while.

By Mr. Sinclair:

Q. What is the reason butchers are disposed to carry on the betting business more than other trades?—A. Well, there are just as many in the other trades. The grocers are just as bad.

By Mr. Raney:

Q. But you know more about the butchers?—A. Yes.

By Mr. Sinclair:

Q. Is it a common thing now to carry on bookmaking in the city?—A. Yes.

Q. Do you know that it is carried on?—A. Yes, hundreds of them. The city is lousy with them.

By Mr. Moss:

Q. How many addresses can you give us?—A. I cannot give you the addresses of handbooks.

Q. Are they friends of yours?—A. They are no friends of mine.

Q. What is your objection to giving them?—A. They don't work hard enough for their money.

Q. Can you give us any addresses at all?—A. No, I would not like to.

By Mr. McColl:

Q. Can you if you wish?—A. Yes, I could.

By Mr. Raney:

Q. Could the handbooks be carried on without the bookmakers on the race track?—A. Not very well. If the advertising in the paper was done away with that would help a lot.

Q. Tell me, would you ever have started betting on the horse races but for the bookmakers?—A. I do not think so.

Mr. McCOLL.—He went to the pool room first.

Mr. RANEY.—He went to the Dufferin track first.

Q. Would you have continued but for the bookmakers?—A. I do not think so.

Q. Did you ever lay a private wager on a race track?—A. Yes, I have.

Q. Very often?—A. Yes.

Q. With some individual?—A. Yes.

Q. Making your own odds?—A. Yes.

Q. You have done that?—A. Yes.

Q. What is the view of this man who took you first to the race tracks about these things now? Would he like to see bookmaking abolished?

Mr. Moss objects.

APPENDIX No. 6

By Mr. Raney:

Q. You went into the betting business with about \$3,000 to the good; you had that much saved up?—A. Yes.

Q. And now you are about \$2,500 the other way?—A. Yes.

Q. And you have spent all the money you have made in the meantime?—A. Yes, they got it all.

Q. The bookmakers?—A. Yes.

By Mr. Counsell:

Q. You were asked if the handbook men could do business without the bookmaker?—A. Yes.

Q. You are familiar with the handbooks?—A. Yes.

Q. You know the races at Latonia when they had the Pari-mutuel system?—A. Yes.

Q. And the next day the odds were published?—A. Yes.

Q. And the handbook men would pay according to those odds?—A. Yes.

Q. There was no bookmaker there?—A. No.

Q. But they had the odds?—A. Yes.

Q. The handbook men can do business without the bookmaker?—A. Yes, but it is harder to do it. If that stuff was kept out of the paper it would make it harder.

Q. There is no betting in New York State?—A. No.

Q. And the odds are published on every race?—A. Yes.

Q. And to-day the handbook men are doing business on the races in New York State?—A. They are.

Q. And they get their odds and pay according to the odds?—A. Yes.

By Mr. Moss:

Q. There is no handbook making in Toronto on the Woodbine races? It is all done on the foreign races?—A. Oh, there is lots of handbooks working when the races are on.

Q. But not on the Woodbine races?—A. Yes, they are betting on the Woodbine races.

Q. You are sure?—A. Yes. If I pick a horse out and wanted to bet \$5 or \$10 on a horse and could not get down to the Woodbine I would pick out the handbook. I am not saying I did that, but that is what I would do.

Q. How do you know?—A. I know hundreds that are doing it.

By Mr. Counsell:

Q. About that man Melville—is that old Pop Melville?—A. We used to call him Pop.

Q. He is the man who had the room on Dalhousie street? That is where he lived?—A. Lately?

Q. For the last ten years?—A. No, that is not the same one.

Q. Where does he live?—A. He was living on Manning Avenue.

Q. What was his business?—A. He used to peddle old lights.

Q. What was his business?—A. He used to peddle lights and mantels; I bought my Auer lights from him.

Q. There is just one question I want to ask about betting by individuals; there is very little betting by individuals on the race track, is there?—A. A man that wants to bet bets with the bookmaker, there is practically no individual betting at the race track.

Q. The betting is done with the book-maker?—A. Yes, it is with the book-maker.

Q. You and I cannot make a bet very well without the bookmaker at a horse race?—A. Not very well, no.

By Mr. Blain:

Q. Why not?—A. Why not?

Q. Yes?—A. Well, you pretty near forget what you bet and what horse you have backed and what odds you have accepted unless you write it down.

Q. Could not that be done?—A. Well, not over in New York; they are not allowed to register the bet, because if you catch another man registering a bet there you can have him arrested.

By Mr. McColl:

Q. It is book making when you do that?—A. Yes.

Q. It is only where there are two contestants in a race, whether a horse race or any other race, that private betting can be done evidently?—A. Yes.

Q. But on a race track where there may be all the way from six to ten horses in a race you cannot carry on private betting?—A. No.

Q. And if you are going to carry on betting at all it is necessary to have the bookmaker?—A. Yes, outside of a two-horse race.

By Mr. Blain:

Q. What would you say as to the amount of betting in Toronto, comparatively, as between betting on sports such as hockey matches, prize fighting and horse racing?—A. What would I say?

Q. Yes, as to the amount of betting on the horse races on the one hand and the other sports on the other hand?—A. As to the amount of it I would say that there is 75 per cent more money bet on horse races than there is on any other game going.

By Mr. McColl.

Q. That is more on horse races than on any other one game?—A. Than on any other one game.

By Mr. Meredith:

Q. Now, these fifty names that you have given us are the names of those whom you say you have been able to remember during the last ten years?—A. Yes, I do not say they are all gone out of business, there are lots of them going to the track to-day, but there are some there very heavy losers.

Q. Those are the cases you can remember in ten years?—A. Yes.

By Mr. McColl:

Q. You say that some of them are patronizing the track still?—A. Yes, sure, but a lot of them are heavy losers and would like to quit if they could only do so.

By the Chairman:

Q. What do you think you would have been worth to-day with your business going, as it would have been going had you not done any betting with the book-makers, I do not want you to give me any extravagant estimate, but keeping within the mark?—A. I would judge to-day that I would not owe anybody a cent and that I would be \$7,000 or \$8,000 to the good.

Q. You think that is a careful estimate?—A. Yes.

By Mr. Moss:

Q. Is that eliminating all betting except that with book makers? Does that include only the betting with book-makers upon the track, or does that include betting on other sports?—A. They do not count for anything because I never lost much on the others.

APPENDIX No. 6

By the Chairman:

Q. You have said you bet on a number of other things besides on the race track with the book-makers, where was your first betting done, was it with the book-maker?—A. The first bet I ever made was a one dollar bet, and that was at the Dufferin track with the book-maker.

Q. And you continued betting with the book-makers for some time?—A. I won that first dollar bet I made.

Q. And did you continue betting with the book makers for some time, you stayed with the book-makers, did you?—A. I stayed with the book-makers.

Q. You were asked whether you were a drinker, some of your friends might attribute your loss of business to drinking rather than to betting, are you a heavy drinker?—A. No.

Q. You have not neglected your business by drinking, or become intoxicated so as to neglect your business?—A. Not from drinking, I have not neglected my business from drinking.

Q. You were asked about the ease with which a man might make private bets, I suppose that in ten years or more following the track and betting with the book makers you have become very well acquainted with the betting men in the city?—A. Oh, yes, I have.

Q. I should think it would be comparatively easy for you to pick out a man to bet with of all the men that you have an acquaintance with?—A. Sure.

Q. That is right, you would?—A. Yes.

Q. Supposing a man goes to the Woodbine or any other race track who is not accustomed to it, as you are, a green man goes there, and there are no bookmakers at all, they have been prohibited by law, would he find it hard or easy to make bets with private parties?—A. He would not be able to make a bet.

Q. He would not be able to?—A. Not a green man.

Q. Now as to making a comparison between the harm that comes or that follows from betting with the bookmakers and the harm that comes from the practice of betting with the handbookman; which do you consider the greatest evil, which brings the worst result?—A. Betting with the handbook or on the track?

Q. Yes, which ruins the most men?—A. The track.

Q. There is no doubt at all of that in your mind?—A. I know it, yes, because a man will go to the handbook and will bet \$5 or 50 cents, or \$2 and that is all he will bet that day. A man will go to the track and will take \$300, or \$200, or \$500 with him, and he will lose every cent he has got if he happens to strike a bad day, but when betting with the handbook he bets that much and then stops there, but it is the race track that gets the bunch of them.

Q. Take the man who follows the races, who bets on the horses, does he usually begin by betting with the book-maker on the track or betting with the handbook man up town; where does he usually begin his betting career?—A. Usually at the track he starts.

Q. You have no doubt as to that?—A. No, sir.

Q. The large number of persons you have spoken of as having ruined themselves, as having suffered the loss of their business, and so on, would they in your opinion have suffered those losses and ruined their lives to the extent they have ruined them had it not been for the book-maker?—A. No, I don't think they would have. No, they would not. They lost it on the track practically.

By Mr. Counsell:

Q. You do not know anything very much about the handbooks do you?—A. How is that?

Q. Do you know the limit?—A. The limit?

Q. Yes?—A. How do you mean?

1-2 GEORGE V., A. 1911

Q. If I want to bet a hundred dollars to-morrow in Toronto, can I bet?—A. Yes, you can bet five hundred.

Q. With the handbook man?—A. Sure. Of course you know there are very heavy bettors there, but taking the average man—

Q. The average man that plays the handbooks?—A. He bets light.

Q. It is a dollar and fifty cents with the factory man and the workman?—A. And the merchant will bet \$5.

Q. A little higher?—A. Sure. If he goes to the track he takes his wad down with him, and if he loses \$10 on the first race he tries to make it up on the next race, and if he loses it on the second race he tries to make it up again on the third, and before he goes back he is broke. But on the handbook they ain't got that chance to do it.

Q. You can bet with the handbook man to-day and lose \$10?—A. Yes.

Q. You can bet for 365 days?—A. You can do that all right.

Q. And you can bet any limit?—A. If you are doubling up, but if you are not doubling up you cannot. Betting on the handbook you don't know the price you are getting. You might bet \$5 to-day and lose it. You might bet \$10. to-morrow and you might get that \$10 up on a ten to one shot. You don't know what the price will be. You are in and may be you will stop for a little while.

Q. But you can go down and bet any day with the handbookman?—A. Yes.

Q. And there is no limit to it?—A. No limit.

Q. And you bet and get your money back?—A. Yes.

Q. You have the same opportunity as on a race track?—A. Yes.

Q. Only this goes on for 365 days?—A. Yes.

Q. Do you know whether these handbooks have what they call runners who go out and collect a dollar and half a dollar and bring the bets into them?—A. Sure they have.

Q. Do you know the extent of that at all?—A. Well, I know Orpen has men all over the city pretty near bringing it in to him.

Q. You don't know that as a fact do you?—A. Certainly I do as a fact, yes.

Q. Have you ever seen it?—A. I have.

Q. What have you seen?—A. Well I have seen a whole lot.

Q. Mr. Orpen has been held up as being exactly what you say he is, and it may be the case that he is not that at all. Others may be running little handbooks in your butcher shop and Orpen is given the credit for it. There are hundreds of people like you in Toronto to-day.—A. Orpen has men working for him steady year in and year out. Orpen has got a paying business in the handbook business.

Q. Do you know of one single place where you can see Mr. Orpen and make a bet?—A. Not Mr. Orpen himself. It is a hard case to prove. I know I can put on one now but it is a hard case to prove.

Q. How do you know it?—A. I know it is.

Q. Do you know it from hearsay?—A. These handbooks are not run in his name.

Q. Well then how do you know they are his?—A. Is it not from hearsay. I want you to be perfectly fair.—A. I am.

Q. And it is from hearsay is it not?—A. No, as I have seen it.

Q. You have never made a bet in a book of Orpen's?—A. Yes, I have.

Q. How long ago? In the poolroom? You mean at the Junction?—A. No.

Q. You have only made three bets in a handbook?—A. That is about all I have made and that has been in Orpen's book because when I bet I would not bet outside Orpen's book because they ain't worth betting in.

Q. How do you know this was Orpen's book?—A. Because the men that is running the book works for him up at the Dufferin track and runs the book for him, up at the Dufferin track—sheet writers and ticket writers.

Q. Do these men run butcher shops or are they barbers?—A. What these men?

Q. Yes, these men you spoke of, the men you bet with that you say you have seen at the Dufferin Park? Where was the handbook?—A. Well the handbook was in a cigar shop.

APPENDIX No. 6

Q. In a cigar shop?—A. Yes.

Q. Whose cigar shop?—A. Well not under Orpen's name.

Q. Well the cigar shop proprietor was he there?—A. Yes, Orpen's men were there.

Q. Was the owner of the cigar store there?—A. The owner of the cigar store?

Q. Yes the man who had the cigar business?—A. I could not swear to it.

Q. Well it was a cigar shop was it?—A. Sure it was.

Q. Do you know whether these men were working for that cigar store or not, I mean the men that were in the cigar shop?—A. Well, I thought they were working for Orpen.

Q. You thought they were?—A. Yes.

Q. Because you had seen them at the Dufferin track?—A. Knowing they worked for him year in and year out.

Q. You have seen them working for him at the Dufferin track?—A. They were working for him at the poolroom.

Q. At the Junction?—A. Yes and they have worked for him right clean along.

Q. You saw them at the Dufferin track?—A. Yes.

Q. And at this cigar store?—A. Yes.

Q. And that is all you had to go upon in stating that they had worked for Orpen before?—A. Yes that is all.

Q. One further question: you say there are hundreds of these places in Toronto, these handbook places?—A. Yes, sure.

Q. You have no idea of the amount of money that is bet in them?—A. No.

Q. Then you do not know whether the evils, if there are any, from the handbooks would be greater than the evils resulting from the race track?—A. Well there is a lot of evils. The handbooks are bad, there are lots of evils in the handbooks.

Q. You do not know anything about as to whether they are worse than the race track or not?—A. They are worse in this way: When the races leave the Woodbine they are through. That is of course they were not last year because Orpen had forty days of it at the Bull Ring, something like that. Outside of that the handbooks are going every day in the week, and maybe on Sunday now because they are racing down there on the southern tracks on Sunday.

By Mr. Raney:

Q. What track is that?—A. Juarez. They race there on Sunday. Oh yes the handbook is a great evil.

By Mr. Counsell:

Q. And it can be stopped?—A. It is hard to stop it.

By Mr. McColl:

Q. Although you are not betting you still keep pretty well posted on the races that are going on?—A. Oh yes, I have to see the paper every morning.

Q. Every morning?—A. Sure. It is hard to get away from it you know. Once you are a sport it is kind of hard to get away from it.

Q. And have you taken the pledge against it for a limited time, for a year?—A. Yes, just for a year.

Q. You will probably bet again if you have some money saved up by the beginning of next year, 1911?—A. I will tell you my idea is this: I swore off in 1910 do you see. I know how I am situated to-day and if I can stop in the business and stay at it for one year and keep away from the tracks, I want to see if I can get practically squared up or partly squared up and if I find out that my pocket is getting fatter, which I think it will get a lot fatter, if I only stay away from them, especially from the Dufferin track, the Dufferin track got the most of my money—

Q. And the poolrooms?—A. No the poolroom is closed up I guess for five years but it was a dandy job when that was closed.

1-2 GEORGE V., A. 1911

By Mr. Monk:

Q. Have you been at the races in Montreal?—A. At the races in Montreal. No, I have not struck Montreal yet. This is as far as I have been.

Q. You say if that were done it would remedy matters a great deal, that is if the handbook business were absolutely stopped?—A. If which?

Q. If the handbook business were absolutely stopped?—A. Yes.

Q. And prevent the newspapers or telegraph companies from giving information about foreign races?—A. Sure.

Q. Stops those all around and meets like Ab. Orpen carries on with his track?—A. Yes.

Q. And have short meets just at the Woodbine and Fort Erie and those places, if that were done would the abuses be pretty well disposed of?—A. Well, no, it would to a certain extent, but you know—

Q. All the opportunity you would have to bet would be at a short meeting at the Woodbine and at each of the other places.—A. Well, if it ends at the Woodbine it would not be so bad, but when it goes on up to Hamilton and Fort Erie, by the time you get through with Windsor there is a lot of money gone and you are pretty nearly stopped anyway.

Q. There will be some few that follow around to all these places but not many?—A. They will go to every place, sure.

Q. But it is a comparative few from the city of Toronto, say, that follow up all these tracks?—A. A few people.

Q. Yes, very few?—A. If it wasn't for the people of Toronto the Hamilton meeting would not last two days.

Q. You are sure of that?—A. Yes, the trains are packed every day.

Q. But do all of them that go up from Toronto go up to bet or do they go up to see the races?—A. They go up to gamble.

Q. You do not know of anybody going from Toronto to Hamilton to attend the races, but they go to bet?—A. No, they wouldn't go from Toronto to Hamilton if it wasn't to gamble.

By Mr. McCarthy:

Q. What about the Toronto people or the Hamilton people attending Windsor, do you know anything about that?—A. I have never been there.

Q. You have never been to Windsor?—A. No, I haven't got to Windsor, Fort Erie has been the farthest.

Q. And Toronto people do not go in very great numbers to Fort Erie?—A. There are a lot of people go to Fort Erie.

Q. How many would you say went, now? 200?—A. Oh, yes, 300.

Q. That is on special days, but take the Fort Erie meeting, the average for the three weeks would not be 200 a day, would it? Take the Derby day, it would be greater.—A. Yes, 500 or 600.

Q. But it would not be as many on an average day?—A. No, it would average 200 or 300 on a regular day.

By Mr. McColl:

Q. How many carloads would there be?—A. A trainload.

By Mr. McCarthy:

Q. How many times have you been to Fort Erie?—A. Quite a few times.

Q. How many?—A. Well, I have been there about four seasons for three days at a stretch, two or three days at each meet.

Q. You have been there two or three days each meet for four seasons?—A. Yes.

Q. Now, how many people go to Fort Erie, if you do not know I want you to say you do not know?—A. I would not be positive as to that, there are not as many go up there as to Hamilton, they quit practically at Hamilton, they drop off there.

APPENDIX No. 6

Q. So that, as far as Toronto people are concerned they are nothing like the crowds that attend the Woodbine proper that go to Hamilton?—A. No, sure, they pass Hamilton.

Q. And nothing like the crowd that attends the Woodbine meet that goes from Toronto to Hamilton?—A. No.

Q. Those who do go to the Hamilton, the large crowd, go on special days?—A. Yes.

Q. Particularly on Saturdays?—A. Sure.

Q. And after the Hamilton meet is over if you take out the Toronto crowd that you have called the 'bullring' practically racing ceases at Toronto?—A. After the Woodbine and Hamilton, sure.

Witness discharged.

Mr. ANSLEY YEAGER, Simcoe, called and sworn.

By Mr. Counsell:

Q. What is your occupation?—A. Horse dealer.

Q. Where do you carry it on?—A. At Simcoe.

Q. What class of horses do you deal in?—A. Hackneys and half-breds.

Q. Do you breed at all?—A. Yes.

Q. How long have you been in business?—A. For the last 18 years.

Q. Have you a knowledge of the different branches of the horse industry?—A. Well, a pretty fair knowledge.

Q. And with regard to the thoroughbred interest in Canada, do you know anything about that?—A. Yes.

Q. Whether it is an important interest, or not?—A. Yes.

Q. Have you any use for thoroughbred horses?—A. Yes, very much.

Q. For what purpose?—A. For half breeds, and I like to cross them with the hackney. We get so much better horses for saddle horses, high stepping horses and combination horses.

Q. You have to have thoroughbred horses for that purpose, is that the case?—A. Yes.

Q. Is that a very large industry?—A. I think it is one of the largest industries in Canada.

Q. What farmers are in the business besides yourself?—A. I do not know of any, you see Miss Wilkes has a stock farm over at Galt, of course she is raising trotters and I am raising saddle and carriage horses.

Q. And Mr. Dietrich in Galt?—A. No, he is not in it now, he has given it up.

Q. Well, about the thoroughbreds, have you any thoroughbred stallions at your place?—A. Yes, I have four.

Q. You have four stallions?—A. Yes, four.

Q. And have they made their records in racing?—A. No, my stallions are all hackneys, but we breed them on half-bred mares. For instance we are breeding with one stallion, of course I only had one stallion until the last two years, but I used to breed 140 to 175 mares in the year and out of that 175 I would have 50 or 60 half bred mares, they were sired by thoroughbreds, we all make a specialty in getting these mares. In fact the way I do is that when the farmers came to breed their mares I would charge them \$25 provided they would agree then and there to sell me the colt at \$300, when it was two years old, or I would charge them \$50 for the service and they could sell that colt where they liked and to whom they liked. That is the way I was getting the choice and getting the advantage of the thoroughbred blood. If a man came along with a half-bred mare I would try to get that half-bred mare to cross with that stallion but all the mares that I could get I would breed them for \$25 and a guarantee to take the colt at \$300, and on those terms I paid the farmers of the county of Norfolk, \$78,643 for the get of that one horse in seven years.

By Mr. McColl:

Q. You paid the farmers of your county for the progeny of that sire, you bought back from them colts to the value of \$78,000 in seven years?—A. Yes.

By the Chairman:

Q. That horse is a registered hackney?—A. Yes.

By Mr. Counsell:

Q. Those horses you bought were the progeny of half-bred mares?—A. There were a few coarse and some standard-bred, but I was partial to half-bred mares because my customers were more for combination horses and ladies' horses.

Q. Has that industry been going on and increasing there continually?—A. Last year I bred 317 mares with 4 stallions.

Q. Are there many farmers interested in that way?—A. Oh yes, and it is getting better all the time, that is the prices are better. Last spring I sold 4 brown geldings, four years old for \$11,000. Twelve years ago, you know \$700 or \$800 was a good price for a pair of horses.

Q. Are those horses bred in Ontario, that you speak of?—A. They are all bred in our own county of Norfolk.

By the Chairman:

Q. How many of them are from half-bred mares?—A. Three out of the four. Ethel was from a standard-bred mare.

By Mr. Counsell:

Q. Then has racing any connection at all with this industry?—A. Well, now, so far as that is concerned, it looks to me, do you see, if you stop the racing you will surely stop the thoroughbred horse, and that is the only thing I can say about it. If we are going to stop the thoroughbred horse, why, of course, you see, our county has been the banner county for light horses. I think it was in 1886 when the English officers came over here to Canada, I think they got more saddle horses, more—

Q. Remounts?—A. No, not remounts; more cavalry horses in the county of Norfolk than they got in the whole Dominion. You see we have had a lot of thoroughbred horses in there. We had Clear Grit—he was a half bred, and he was sired by Old Lapidus—Mikado, Dandy Diamond, Gold Fellow, Osprey, Lester and Judge L, and these horses all came along in rotation behind. We have had a lot of thoroughbred horses in our county, you see, always for the last twenty-five or thirty years.

Q. Have you any knowledge of the racing conditions at all; have you ever been to the race tracks, and do you know how they are managed and run?—A. Yes, I have been there a little bit myself. Of course, I don't know how they are managed and run, or anything like that.

Q. Do you know whether the purses are got from the gate receipts or the book-makers' privileges?—A. No.

Q. Have you any knowledge of the trotting races to the same extent?—A. Well, the trotting meeting which we had was carried on in that way; the priveleges we sold really made our purses, you see.

Q. And what, in your opinion, would be the effect of doing away with the betting on these tracks?—A. Well, of course, I think it would be very disastrous on the thoroughbred end of it you see, because unless there is something offered to engage the people to develop these horsss they won't develop them. You understand. You take a stallion and develop it. For instance, you take a thoroughbred horse and you go racing, do you see. Well, he breaks down, but if he has stood up and been a good race horse his progeny are better than if you took him—you see, you start to race with a two-year old colt, and develop him later on when you use him as a stallion. The progeny of that horse is a whole lot stronger than the progeny of one that has not

APPENDIX No. 6

been raced. You find that in any breeding. For instance, if you get down to chickens or anything like that.

Q. Have you enough knowledge of betting to know whether individuals can bet at a race meeting without the intervention of a bookmaker or a machine like the Pari-mutuel?—A. I don't know enough about the race track to say. I would not know enough about that to pass my own opinion. The only thing is that it seems to me that if they stop bookmaking and stop the public betting they ought to do away with the handbook betting, do you see. It seems to me that encourages a lot more evil than if a man could stand up and make his bet above board. Of course, I look at it in this way, if a clerk in a bank or a clerk in a store will go down to the race track and make a bet when he cannot afford it, by the time he gets into the betting practice the manager will come to know all about it. But if he can go and make a bet with the handbook, where it is covered up and nobody sees it, it looks to me as if he had got a chance to go wrong. The more public you make betting, it seems to me, the better it is, and the less evil will result.

By the Chairman:

Q. Do you think a bank manager would object if he did see a clerk on the race track betting with the bookmaker?—A. I would not think so, unless he was betting to excess.

By Mr. Moss:

Q. Do you know anything about the extent of the trotting racing in Ontario?—A. No, I do not.

Q. You do not know anything about that?—A. No.

Q. Have you any trotting races up in your county?—A. No, we have not. We have no track in Simcoe now; we did have a track.

By Mr. McCarthy:

Q. Do you have racing at your exhibition?—A. No, we have only got a little speed test, which catches our crowd more, do you see.

Q. You were running behind at the exhibition, I understand, until you commenced having speed tests?—A. Well, yes we were.

Q. Now you have a surplus instead of a deficit?—A. Well, we have not got a surplus just now, because—

By the Chairman:

Q. Do you sell betting privileges on the fair ground?—A. No, we do not.

Q. Still you have booking men?—A. We have booking men.

By Mr. Blain:

Q. If the race track were closed up would it hurt your industry?—A. It would stop the thoroughbred horse and the standard bred, because they will not develop their horses unless the purse is good. Of course, we have to race a horse to develop him, but the question is how are we going to get the purses?

Q. Where does most of the money come from for the purses?—A. Well, it generally comes from the privileges, do you see—that is the pool selling and bookmaking and whatever it is.

By the Chairman:

Q. One question: Suppose a man has a standard-bred stallion travelling over a route, and two or three other men have their stallions going over the same route. You have an agricultural fair, and will these speed tests not be very much to the advantage of the stallion owners to prove the speed of their horses there for the sake of the increase of business it would give them?—A. Well, I think it would, do you see. Yes, I think it would; but, of course, they would have to get these horses ready to race.

1-2 GEORGE V., A. 1911

Q. What I mean is the reasonably small purses that an agricultural society being fairly supported could give, not obtained from the betting process or anything of that kind—would not these small purses, together with the advantage of proving to the public the speed of their horses, be a sufficient incentive?—A. No; I would not think so, unless you could bring a stallion out and race him for a good many days and have him out on exhibition, because you have not got the track there to step a good horse on. You see, if he is a good horse, you won't have him stepping over that track.

Q. You mean that at the agricultural exhibition the ground is not in good enough order?—A. That is right, not in good enough order.

By Mr. Blain:

Q. Would the progeny of a horse trotting or running on the race track every year be better than the progeny of one that is not so raced or trotted?—A. Oh, yes, far better.

Q. Supposing a stallion is trotted on the track and becomes disabled and goes out for service; does his stock degenerate because he is taken off the trotting?—A. Oh, no. That is what I say. Take for instance, a suitable horse and race him, we will say for two or three years; race him until he is four or five years old. That will develop him. Then you take that horse and keep him for a stud horse. You do not want to race him when you are breeding him. He has so developed, you understand, his muscles are so developed, that his progeny are stronger than the progeny of a horse which had never been raced, but simply bred up on your stock farm. Then if you used the latter horse for breeding, you would find his progeny would be a whole lot weaker than the progeny of a horse developed by racing.

Q. Do you keep any race horses of any kind?—A. I never had but one thoroughbred horse. I keep thoroughbred hackneys. We claim the half-bred horse is better than a full-blooded horse for carriage and saddle purposes.

By Mr. McCarthy:

Q. The thoroughbred will improve all other light breeds?—A. You see at our hackney meeting this spring at Toronto we passed a rule that a half-bred—now, for instance, you have got a pure-bred hackey mare. You can breed that mare to a thoroughbred horse and still register it as a pure bred hackney. Now we have to make the Hackney Horse Association do the same thing; we have tried it and found the result and we are asking England to do the same thing, because we want the same quality everywhere.

By Mr. McColl:

Q. Do you not think a large number of those hackneys that they are bringing out, importing now, have been produced by the thoroughbred cross in recent years?—A. Certainly, you take twenty-five years ago, and the hackneys in England were a different class of hackneys to what they are to-day, horses of 15:1 and 14:3, but they have more quality, a lot more blood; the American people as well as the Canadian people go over there and say, 'We want a good high stepping horse, well bred,' you cannot breed a general purpose horse and a high stepping hackney horse, anyway; the people are asking for more quality, they want a different type of horse altogether; one that they can ride and that they can drive as well; they want more quality and not as much size, and how are we going to get quality? We have to get it through the thoroughbred.

Q. That is where you have to go for the improvement of all the light horses?—A. Yes, it is the blood that tells, just as soon as you get the hackney body and fine blood you give the animal more quality, and that is what they are all asking for. You take and pick a half-bred mare, or a standard-bred mare, with a nice width and a nice shoulder and breed her to a hackney horse, and you get a nice pattern saddle horse that they are now making hunters of. The demand now is for a combination horse; if a

APPENDIX No. 6

man comes to my place and says he wants to buy a good combination horse, I know very well that he wants a good horse and will pay the price for it; but if he says he only wants a carriage horse, I know that he only wants to pay a moderate price, but if he wants a good combination horse I know that he will pay a good price for it, because he wants the quality, and you can sell him a good animal if you have the goods.

Q. Are you in favour of stopping all bookmaking on the tracks?—A. No, I am in favour of having bookmaking done as publicly as you possibly can, but stop the great big long meetings, give us two weeks or something like that and make the betting as open as you possibly can, the more you keep it behind doors or under the veil so that the public will not know a man is betting the worse it will be.

By Mr. Counsell:

Q. Is there any public demand that you know of, that you come across in your business or otherwise for the abolition of betting on the race track or have you heard of any evil resulting from it?—A. No, I cannot say that I have.

Q. From your personal knowledge?—A. None whatever.

By the Chairman:

Q. You have not had much experience along that particular line?—A. No, I haven't had much experience personally, I have been knocking around amongst it.

By Mr. Counsell:

Q. You have been at horse shows and public gatherings in Toronto and elsewhere?—A. Yes.

Q. Have you ever seen or heard of any public demand for the abolition of race track betting?—A. Not a bit.

By Mr. Raney:

Q. You are in favour of bookmaking on tracks and you think there ought to be shorter meetings, that is meetings at as many places as there are racing associations?—A. I would think so, that is provided they are conducted in good form.

Q. That is provided they are conducted as they are now?—A. Yes, as they have been in the last few years.

Q. Can you tell me how long you have been of that opinion?—A. I think I always was of that opinion.

Q. You have always been in favour of shorter meets?—A. Yes, shorter meets.

Q. Did you ever express that opinion anywhere before this committee began the consideration of this Bill?—A. Oh yes, quite a lot.

Q. You thought there were abuses that ought to be reformed?—A. Yes, that is right.

Q. You had never heard of any ill effect coming from race track betting I suppose you haven't heard of it, you haven't heard of men betting there? Did you hear the evidence of Mr. Batt given here?—A. Yes.

Q. You heard the whole of it?—A. Yes.

Q. And you haven't any reason to discredit the evidence you have heard here, have you?—A. Yes I have, in the way he went on and told it it almost looked as if he would gamble on anything, but he gave the race track all the discredit of betting, of all his bets.

Q. You heard the story he had to tell of scores and hundreds of men who had been ruined by the track?—A. Yes, I heard it.

Q. Assuming, without discussing him at all, that his statements were true, that those men were ruined in that way, presuming that butchers, bakers, grocers, cigar dealers and all that class of men had been ruined as he said, having heard his evidence do you think the price would be too high, or would you still be prepared to pay the price of allowing betting on the race tracks?—A. I think we should first see whether ruination comes from anything like that.

Q. Please assume that the ruination has come from it?—A. I could not assume it because there is very much more ruin comes from stocks than there is from horse racing.

Q. We have heard all that before. I want to say, and I infer you are prepared to give an opinion, assuming that that man's statement is true, that he has known of scores of men who have been ruined by frequenting the race tracks, I want to know if you think the price is too high?—A. Well, I will tell you now; our horse industry is one of the largest industries we have in Canada, and, we will say there are 50 people in the city of Toronto that have been ruined by betting and that represents the percentage of 400,000 people, something like that in Toronto. Take all the horse industry and the number interested in it on the other side, and then of course we have all those other people who bet on something else, there are the real estate deals and the people who buy stocks—

Q. Just assume the fact that they are ruined in that way?—A. But I cannot assume as a fact that they were.

Q. You will not face the issue. At all events you will admit that the horse industry in Norfolk county is prosperous?—A. Yes.

Q. And that the horse industry does not derive any benefit by reason of the sale of horses to race on the tracks and by reason of the fact that bookmaking takes place?—A. Yes, certainly, we would not have the thoroughbreds in there if we hadn't the race tracks.

Q. Listen to my question; the horse industry of the County of Norfolk does not derive any support by reason of the sale of horses, particularly in Norfolk county, for use on the race tracks at the Woodbine, Blue Bonnets, Hamilton, Fort Erie or Windsor?—A. No we do not breed thoroughbred race horses there.

Q. And you have no race tracks in Norfolk county where bookmaking is carried on as a source of revenue to the trotting association?—A. No.

Q. So that your theory is that the abolition of bookmaking may destroy the thoroughbred in this country and that you will not have the stock with which to replenish the hackney, that is your argument?—A. That is right.

Q. Have you ever heard that by reason of the artificial stimulus given to the production of the thoroughbred in the United States, in Kentucky particularly, there has been a great over-production?—A. In the United States.

Q. Yes?—A. There is no overproduction of any horses nowadays.

Q. Have you ever heard of the overproduction of thoroughbreds and the holding of annual sales by the great breeders where scores or hundreds of thoroughbred mares, weeds, as they call them, are driven into a corral and the numbers which establish their identity are taken off and they are sold at from \$25 upwards; the identity of the animal having been destroyed the mares are then taken to the southern states and sold for whatever they will bring for the purpose of breeding mules?—A. I never saw or heard of it, there are never many thoroughbred mares sold in that way unless they have proved barren.

Q. But they are sold for breeding?—A. Although a mare may become barren in the stud in Kentucky she may be used in the south for breeding mules.

Q. Have you not heard that these sales are frequently held or they have been in the past, by reason of the overproduction before these restrictive laws were heard of?—A. Not by reason of overproduction, but by reason of misfits. There are lots of horses that are bred that are no good practically speaking, and what are you going to do with these horses? There are lots of thoroughbreds that Mr. Hendrie and other people breed that are tried every year and prove not to be race horses and the breeders will sell those horses for what they will bring, in order to save the expense of keeping them but it is not infrequently the case that animals sold in that way turn out to be good race horses afterwards.

Q. You see you are not quite meeting the point. Do you know of any sales being made frequently of thoroughbred mares?—A. Oh certainly.

APPENDIX No. 6

Q. To be taken to the south?—A. Oh no, not taken to the south.

Q. And their identity destroyed? Have you ever heard of thoroughbred mares being used as dams for mules?—A. Oh yes.

Q. Is it a common thing?—A. No, very uncommon. I went to Kentucky and tried to buy some thoroughbred mares to bring over here for breeding purposes.

Q. Do you know the horse conditions in the state of Tennessee?—A. Pretty fair.

Q. Do you say that it is not the practice to hold sales of that kind?—A. Certainly it is the practice to hold sales of that kind, but for you to buy a good—

Q. And afterwards to ship the mares to the south?—A. Well, I never saw it, I never saw any thoroughbreds, no.

Q. I am told by a gentleman, a very good horseman who perhaps knows as much about horses as any man in Canada, that it is quite a common thing for stallions from the very best farms in the southern states, in Kentucky particularly and Tennessee, to be sold for a mere nominal price because they are not of the conformation required for the race track?—A. Oh, no, never in the world

Q. You never heard of that?—A. Oh no never in the world unless they are broken down and unfit for service.

Mr. McCARTHY.—Give us the name of the gentleman to whom you refer, one of the best horsemen in Canada.

Mr. RANEY.—You may hear it before we get through.

Mr. COUNSELL.—Do you refuse to give his name?

Mr. RANEY.—I will give his name when I am ready.

Mr. COUNSELL.—You do not want to forget that.

Mr. RANEY.—You had better make a note of it.

By Mr. Raney:

Q. I understand you make your purses from bookmaking?—A. It is the selling of your privileges do you see.

Q. Where is that done?—A. For instance in Tilsonburg, Aylmer, Wingham, Stratford—

Q. Those are trotting races?—A. Yes, trotting.

Q. How much was received for those privileges?—A. I could not just give you the amount of those privileges.

Q. Would it be one hundred dollars?—A. Yes, four or five hundred dollars.

Q. Do you know?—A. No, I do not know exactly.

Q. It may be one or four hundred, or five hundred, that is all you know. I suppose if it were true that the result of horse racing as we are carrying it on now at the Woodbine, Fort Erie, Windsor, Hamilton and Montreal were to demoralize a good many people who otherwise would not be demoralized, you as a self-respecting man would be in favour of taking measures to stop that kind of horse racing; now would you?—A. I would not have you stop too much of the horse end of it do you see?

Q. Would it not be possible for self-respecting men to pay the purses themselves out of their own pockets?—A. If they do not go that way they might go some other way.

Q. You think they are bound to go to the devil anyway?—A. Yes. If not that way they would go some other way and it would be a pity to give up good horse racing for that.

Q. If the cutting out of bookmaking on the race track would not injure the thoroughbred, your objection would be removed?—A. Certainly, if it was not going to hurt them.

Q. You are not a sporting man yourself?—A. Oh yes, a little bit.

Q. Do you bet on the race track?—A. Oh yes bet a little bit on the race track.

Q. Do you bet with the bookmaker?—A. No more than on elections.

Q. You do not object to the bookmakers?—A. No.

Witness discharged.

Committee adjourned.

1-2 GEORGE V., A. 1911

HOUSE OF COMMONS,
COMMITTEE ROOM No 32,
THURSDAY, February 17, 1910.

The committee met at eleven o'clock a.m., the Chairman, Mr. Miller, presiding.

Mr. RANEY.—I wrote a letter to Mr. Drury, Master of the Dominion Grange in regard to his giving testimony and I think he was summoned. I have received in reply a communication from him in which he regretted very much he would be unable to attend the sessions of this committee on account of being compelled to be present at an important convention in the West. With the permission of the committee I will read the letter.

Mr. Moss.—There are a number of other witnesses that have not been able to attend here from one reason or another but we have not been allowed to offer letters from them.

The CHAIRMAN.—It rests with the committee whether they will accept or not, a letter from a representative man like Mr. Drury. Similar evidence was taken at the New York investigation. I think you will find in that evidence a facsimile of a letter written by the President of the Farmers' Grange or Association of the United States. That letter was offered just in the same way as Mr. Drury's letter is being tendered and was accepted.

Mr. RANEY.—You mean the Committee that had under consideration the Bill which subsequently became the law in New York state, the Hughes Bill?

The CHAIRMAN.—Yes.

Mr. RANEY.—I noted that and I saw that the sittings were altogether informal and that the sittings before the Senate Committee at Washington on a Bill similar to this were very informal also.

The CHAIRMAN.—Not every letter could be accepted but when a letter is written by a representative man like Mr. Drury I think it should be accepted.

Mr. RANEY.—I think the committee will be glad to have Mr. Drury's opinion. His letter is in these terms: (Reads):—

CROWN HILL, ONT., Feb. 5, 1910.

W. E. RANEY, Esq.,
Toronto.

DEAR SIR,—Yours of Feb. 4 received. I should greatly liked to have given evidence before the committee for Mr. Miller's Bill, but I leave for Prince Albert, Sask., to-morrow, to attend the meeting of the Sask. Grain Growers' Association, at which steps will be taken to finish the union of the farmers' organizations in the Dominion, and will not be back till too late to be of service to you.

As to my views on the matter, I am fully persuaded, from the standpoint of the farming community, that race-track betting is of no help whatever to the horse breeding industry in this country. The most profitable class of horses to breed from the farmers' standpoint, is not the thoroughbred, the hunter or even the army remount, but just the heavy draft type, and second the roadster. In the first of these classes, and the most profitable to the farmer, thoroughbred blood has no place whatever, and there is no racing, and no betting. In the second while racing has its place, betting is not necessary to the encouragement of breeders. The roadster, unlike the thoroughbred, fills a useful place, and is bred for its use. The winning of a race has its own reward, in the increased value of the animal, and betting is not necessary to its encouragement.

Race-track betting has for its centre the thoroughbred, a type of beast which as regards its usefulness under the conditions in this country, has about as much

APPENDIX No. 6

use as the game-cock among fowls. The horse breeding industry of this country would be no worse off if the running horse were entirely eliminated.

There can be no question as to the demoralizing influence of any form of gambling on the popular mind, and the wiping out of this one form would do a great deal of good. I am fully convinced that popular feeling among the farmers stands behind Mr. Miller's Bill.

While I am not able to attend the sittings of the committee, I should like to see the Dominion Grange represented there. To this end I would suggest that you subpoena a member of the executive. Henry Clendenning, of Manilla, would be an excellent man for the purpose. If he is not available, I would suggest R. E. Gunn, Beaverton.

Yours very sincerely,

(Sgd.) E. C. DRURY.

Mr. RANEY.—I wrote both to Mr. Clendenning and to Mr. Gunn inquiring when it would be convenient for them to attend the sittings of the committee. I have not had a reply from Mr. Clendenning—somebody told me he was away from home—but Mr. Gunn replied, and with the committee's consent I will read his letter also. Mr. Gunn is a member of the executive of the Dominion Grange.

Mr. MONK.—You mean Mr. Gunn of Toronto?

Mr. RANEY.—He is one of the wealthiest stock farmers in Ontario, and his farm is situated at Beaverton. He is a young man and I might say, is a son-in-law of Senator Ross.

Mr. MONK.—The difficulty in the case of a letter—although I am in favour of admitting letters—is that we do not know, cannot find out whether Mr. Drury has any special knowledge in regard to betting on a race track.

Mr. MCCARTHY.—I think Mr. Drury will admit that this gentleman has not.

Mr. RANEY.—I admit that.

Mr. MCCARTHY.—Mr. Drury is a gentleman from Simcoe who has not taken part in horse racing of any kind. His views are entirely opposed to that form of amusement and he would regard betting as an evil.

Mr. RANEY.—I should not say entirely opposed to horse racing.

Mr. MCCARTHY.—He never participated in horse racing.

Mr. MONK.—His letter affords no opportunity of testing his knowledge.

Mr. RANEY.—But Mr. Gunn is a horse breeder and a horseman himself.

Mr. MONK.—In the next place he controverts points set out in evidence, and we have no opportunity of cross examining him.

Mr. RANEY.—At any rate Mr. Gunn's letter is as follows. (Reads):—

BEAVERTON, February 11, 1910.

W. E. RANEY, Esq.,
Toronto.

DEAR SIR,—In reply to yours of 10th would say that in my estimation the Bill introduced by Mr. Miller should receive the support of those who have the best interests of the country at heart.

It has been claimed that horse racing and its attendant evils of bookmaking and gambling are necessary to the horse-breeding interests of the country: The Live Stock Commissioner suggested this as a reason to defeat Mr. Miller's Bill. All things else aside, the gentleman mentioned should know that men like Messrs. Seagram, Dymont, Hendrie, Davies, Beck, &c., &c., can afford to indulge in this expensive hobby without the necessity of placing a wager. In fact I understand that many of the most successful owners never place a bet on a horse. Following up this argument and granting, for the moment, that all Dr. Rutherford says is right and that the breeding of the thoroughbred would cease if betting were prohibited—what then?

In 1906 a commission was appointed to investigate the horse breeding industry

1-2 GEORGE V., A. 1911

of Ontario. In the summary of their investigation on page 135 report of this commission we find the following data—out of 1,128 stallions of the so called light breeds of horse, 78 were thoroughbreds, or considerably less than 8 per cent of the stallions bred to light mares. Of the total horse business of Ontario, less than 2 per cent is represented in thoroughbred interests, or to be exact 78 to 2,687. I am surprised that a man who should be familiar with these facts should make the statement credited to our live stock commissioner. From the inactivity even after the money spent on the commission aforementioned, of the Department of Agriculture for Ontario, we must conclude that even after close study, those in authority consider the subject too broad to offer any definite advice thereon. Still we hear that gambling is necessary to Ontario and Canadian horse breeding. In years gone by some old orchardists said the oyster shell bark louse was necessary to the growth of the apple tree. Just as necessary to horse breeding is the parasitic gambling.

Even with the enactment of anti-gambling laws in the States, we find even thoroughbred horse breeding still going on. The lover of the thoroughbred will continue to breed him but even should the thoroughbred become extinct on this continent less economic harm would result than we see enacted after each of our large race meets. Embezzlements, suicides, the full gamut of crime, our cities filled with thugs until a horse-man, if a gentleman, must blush for the shame of it.

Push on your good work and I can promise you I will hold myself in readiness to assist you in anyway I can in your laudable endeavour.

Believe me to be,

Yours truly,

(Sgd.) R. E. GUNN.

P.S. —I might suggest for another proof of the comparative valueness of the thoroughbred that you ask Mr. Brown, manager of the repository, Simcoe and Nelson sts., for particulars of the sales of thoroughbreds held there each spring. I think you will find they sell for an average of less than \$100 while the utility breeds are selling for \$150 to \$300 each for grade not pure breds.

R.E.G.

Mr. McCARTHY.—How old would you say that gentleman is?

Mr. RANEY.—I have never seen him; he is a young man.

Mr. McCARTHY.—He is aged 28 or 30.

Mr. McCOLL.—Now, referring to that Ontario government report I read that and one of the observations that I made was that the best light horse in the province came from the county of Peel, and when you investigated the sires that were there you found there were more thoroughbred sires in the county of Peel than in any one county in the whole province.

Mr. MONK.—I think we have one of the Gunns in Montreal who would come up and give contrary evidence.

Mr. RANEY.—That might be worth while; if the committee desires Mr. Gunn to come here he will attend, and if Mr. Monk would like to hear Mr. Gunn I would ask the chairman to have a summons sent to him by telegraph.

Mr. McCOLL.—If there is a probability of finishing up to-day we had better leave that matter over for consideration later.

Hon. Mr. STRATTON.—I think there ought to be an effort to close the evidence to-day.

Mr. MOSS.—Of course you will note that Mr. Raney is undertaking to file the letters written to these gentlemen; all the correspondence he seeks to put in is in response to letters from him and I think the letters he wrote should, if the replies are to be put in, be also placed on the records.

Hon. Mr. STRATTON.—He has already offered to produce them, I understand.

APPENDIX No. 6

Mr. Moss.—They will be given to the reporter, I understand if the correspondence is to go in.

Hon. Mr. STRATTON.—I think you ought to complete the examination of the witnesses to-day if possible.

Mr. C. J. SMITH, called, sworn and examined.

By Mr. Raney:

Q. You are a Toronto man?—A. Yes.

Q. You have lived there all your life, I think?—A. Yes.

Q. You were formerly in the wholesale shoe business as Cooper, Smith & Co.—A. Cooper & Smith.

Q. And I believe you were a member of the Ontario Jockey Club?—A. Yes.

Q. And a member of the Brooklyn Jockey Club?—A. I was a stockholder in the Brooklyn Jockey Club.

Q. And you have had a very extended experience as a horse racer?—A. Considerable.

Q. And a horse breeder?—A. Yes.

Q. On nearly all the tracks in America, the northern tracks?—A. Yes.

Q. Including of course the Canadian tracks?—A. And Toronto.

Q. And you have had stables both in Toronto and in the United States?—A. In Canada and in the United States.

Q. Where you bred thoroughbreds?—A. Bred in Kentucky, I bred them in Kentucky.

Q. And you have made a study of this subject for many years, all your life, and you are deeply interested in it?—A. Yes.

Q. Now, it was said yesterday before this committee by a witness that in his view, he being a hackney breeder, that if bookmaking were prohibited on the race tracks he, as a hackney breeder, that if bookmaking were prohibited on the race bred stock, stallions, as sires for his hackney mares. What would you expect would result; what would the effect be?—A. I do not see how it could have that effect.

Q. Will you explain why?—A. I do not think the bookmaker has anything to do with the breeding of horses at all.

By Mr. McColl:

Q. Directly or indirectly?—A. Directly or indirectly.

By Mr. Raney:

Q. In other words, you think horse racing does not depend upon bookmaking?—A. Certainly not.

Q. When you were horse racing did you depend upon bookmaking?—A. No.

Q. Did your presence as a horseman on the track depend upon the presence there of the bookmakers?—A. Not at all.

Q. Did the bookmaking, as you know it, assist the thoroughbred?—A. No.

Q. Then, Mr. Yeager made the statement, as I recollect it, that he would not breed his hackney mares to a thoroughbred stallion that had not been seasoned, so to speak, on the race track.

Mr. Moss.—He did not make that statement at all.

Mr. RANEY.—I think that is what he said.

Mr. COUNSELL.—What he said was that of two thoroughbred stallions the one that had been raced, in his opinion, that of the two he had a preference for the one that had been raced would be a better sire than the one that had not been raced, in his opinion, that of the two he had a preference for the one that had been raced, and believed that that animal would produce the stronger progeny.

By Mr. Raney:

Q. I do not think that racing a horse makes him any better as a sire. Will it have any effect on it?—A. I do not think it would.

Q. Supposing he is over-raced?—A. Well, it would not improve him in being over-raced.

Q. What effect would racing have on thoroughbred mares?—A. Well, if they are over-raced I should say it would destroy their fitness for breeding.

Q. Is there any age limit for breeding?—A. Oh, no, mares differ; some celebrated breeders would not use mares for breeding if they were raced after they were four years old.

Q. Have you known nearly all the great breeders of this continent?—A. Yes, sir.

Q. You have known them personally?—A. Yes.

Q. Give us the names of some of them you have known?—A. Major Thomas, Milton Young, Sanford Lync, Dan. Sweigart, who is now dead; of course, Major Thomas is dead too—J. R. Keene, the late Auguste Belmont, General Jackson, of the Belle Meade stable, Charles Read—

Q. And many others?—A. Oh, any number of them.

Q. Do you know any of those men who regarded bookmakers as a necessary support of the race track?—A. None of those men, no.

Q. Those were what you call 'gentlemen,' sportsmen?—A. I mean they raced for the love of it.

Q. Did they look for financial support from gambling?—A. I do not think so.

Q. Were they betting men themselves for the most part?—A. I do not think any of them were.

Q. Now, will you tell me this, you know the race track for more than a quarter of a century?—A. Yes.

Q. Is the thoroughbred of to-day a better type of beast for breeding purposes?—A. That is a very broad question.

Q. Yes, do you think he is?—A. No, I do not think he is any better.

Q. Can you tell me what, in your view, has been the effect of commercialized racing—I think that is perhaps a phrase that will describe what I mean—that we have become accustomed to, such as we have at the Woodbine, Toronto, Fort Erie and other places?—A. What do you mean by that.

Q. I mean the removal of the sport from the domination of men such as you have been speaking of and putting it in the hands of those who look for revenue from race track gambling.

Question objected to by Mr. Counsell.

Mr. RANEY.—From bookmaking if you like.

Mr. COUNSELL.—Does my learned friend intimate that is the condition that exists in Ontario to-day?

Mr. RANEY.—Certainly, I mean that.

Mr. COUNSELL.—I decidedly object to such insinuation going out to the public and being made before this committee. Mr. Raney has been making statements all along of a similar character, and stating that he is going to prove the truth of them, that Fort Erie and Windsor are gambling hells, and conducted for that purpose only, and that the proprietors are refugees, and intimating that he is going to bring evidence to prove the truth of those statements.

Mr. RANEY.—I did not use the word 'gambling.'

Mr. COUNSELL.—Mr. Raney has spoken of race track proprietors who are refugees, and made insinuations and statements of that kind which are utterly unfair, and intimating that he was going to bring evidence to prove his assertions. Now he gets up and says these places are conducted for gambling purposes.

The CHAIRMAN.—Do you not think the honours are even so far as insinuations are concerned?

APPENDIX No. 6

Mr. COUNSELL.—I have not had my attention called to any insinuations that I have indulged in.

The CHAIRMAN.—That may be explained by the fact that Mr. Raney has not been quite as touchy as you have.

Mr. COUNSELL.—If the Chairman heard me making insinuations it was his duty to call me down.

The CHAIRMAN.—I don't think anybody has been hurt so far. What is the question asked?

Questions read.

Mr. RANEY.—I will add to my question 'or race track bookmaking,' if you like.

Mr. McCOLL.—He mentioned the Woodbine and other Canadian tracks. Now, Mr. Raney, do you mean to infer that racing in Ontario has been removed from the high class of men and got in touch with the lower class of men, the Woodbine particularly?

Mr. RANEY.—If I were going to stop to argue this question I would at once lock horns with the member of the committee who is addressing me, but I do not desire to follow the matter up and be led off into blind lanes. I am only desirous of getting this witness' information. He knows the condition of things as well as I know. Now, witness, will you answer the question.

Mr. COUNSELL.—I should think that Mr. Raney should give us the information as to what the conditions are.

The CHAIRMAN.—We will expect Mr. Smith to do that and he will only give his opinion.

The WITNESS.—That is all I can give. My answer to the questions put is that by taking it out of the hands of reputable people, men who are carrying on horse racing for the improvement of the breed of horses and for the sport of it and putting it into commercial hands, or probably worse, as it is drifting into, you will destroy horse racing altogether.

By Mr. Raney:

Q. Now will you satisfy Mr. Counsell as to whether the men who are the directors of the Ontario Jockey Club are horsemen?—A. Well, I would not like to answer that question because every man who has ever bought a horse or looked at a horse thinks he is a horseman.

Q. I suppose you know them all do you?—A. I know the most of them.

Q. Could you select, amongst the directors of the Ontario Jockey Club, a man who owns thoroughbred horses and has been a good breeder?—A. I would not like to particularize that way. I am looking at one over here now.

Q. What is the effect of horse racing such as we have at the Woodbine to particularize, on the production of the thoroughbred?—A. Excessive horse racing certainly has not improved the thoroughbred.

Q. Do you know whether the thoroughbred breeders of the United States, or rather of the states where thoroughbred breeding is an industry, have taken means to protect themselves against overproduction?—A. Yes, they have.

Q. Is there an association for that purpose?—A. There is in Kentucky.

Q. What is it called?—A. The Breeders' Protective Association.

Q. What does that association do to protect the thoroughbred breeders?—A. Well every fall, at the fall sales of horses at Lexington, they buy up one, two or three hundred head of mares and relegate them to the ranks to breed mules.

Q. I understand they drive them into a corral with numbers on them?—A. No they take the numbers off and sell them without pedigrees.

Q. For what they will bring; what do they bring say?—A. Oh, they bring probably as much as—they pay for them anywhere from \$25 to \$60.

Q. And then I understand they are shipped south to the Gulf States —A. Taken away down to Missouri to the cotton fields to work.

1-2 GEORGE V., A. 1911

Mr. McCARTHY.—Is the witness speaking of his personal knowledge?

The WITNESS.—I have seen them. I have been down there and seen the sales.

By Mr. Raney:

Q. You have seen how these sales have been put through?—A. Oh, yes.

Q. And it is not something new, something which has arisen since the organization of this propaganda against race-track gambling?—A. Oh, no, it has been doing on for years.

Q. Many years?—A. I doubt very much if they bought any this year.

Q. If they have sold any this year?—A. No. The Breeders' Protective Association, I doubt if they bought any this year.

Q. You know something of the thoroughbred in Canada, I suppose, Mr. Smith?—A. A little.

Q. The King's Plate, I understand, in its origin was intended to benefit small breeders; am I right in that?—A. I think so.

Q. Is it so that the small breeder has been benefited in practice?—A. Not of late years.

Q. It has come down to two or three or four or five competing stables, I understand?—A. Yes, the rich man's game.

Q. Stables owned by Mr. Seagram, Mr. Dymont—A. Mr. Hendrie.

Q. And one or two others?—A. Yes, Mr. Beck.

Q. And what has been the result upon the thoroughbred industry in Canada, have we produced many first-class racing horses?—A. No, the conditions are against producing them, I think.

Q. What conditions?—A. Climatic.

Q. What others?—A. Well, that is the principal one.

Q. I understand that Kentucky is conceded to be—A. Well, it is the home of the thoroughbred.

Q. And I understand too, that in New York men who have started breeding stables in New York have afterwards moved them to Kentucky?—A. Oh, yes.

Q. Some of the greatest stables on the continent?—A. Yes, and California.

Q. Kentucky and California are the two principal states for thoroughbreds?—A. Yes. Oh, I think Kentucky is conceded to be the home of the thoroughbred.

Q. Now just to show if I am correct, is it so that horse racing at the Woodbine is typical of horse racing as carried on all over the continent under the different racing associations?—A. You say at the Woodbine. Why particularize the Woodbine?

Q. Only because this committee will deal with the Woodbine, but I am asking you now as whether the Woodbine racing is typical of the race track generally?—A. I don't see any difference.

Q. Including those at Sheepshead Bay and the other tracks on the other side?—A. And Florida and Kentucky.

Q. Jacksonville you mean?—A. I don't know much about Florida any more than what I have read.

Q. What is the name of the track outside of Chicago?—A. There are several tracks—Chicago, Garfield, Washington Park, the Driving Park.

Q. And the Woodbine is similar to those?—A. I should think so.

Q. Some of them have gone out of business and ceased to have races?

Q. Then I was going to ask you here what is the effect of the system of handicapping which is adopted on all these tracks?—Well, they handicap a horse according to his capacity in order to make them all equal.

Q. What is the effect of that on the thoroughbred, on the highest class of thoroughbred?—A. Well, it is to put him on an equality with the scrub.

Q. It brings the first class horse down to the level of the other?—A. You must bring him down to the level, you cannot raise the lower one up to his capacity and that is the end of it.

Q. Is the effect of that practice good or bad on the thoroughbred?—A. I do not

APPENDIX No. 6

think it could be for the benefit of the thoroughbred, it might be for the benefit of horse racing.

Q. In amateur horse racing, if I might use the phrase, the tendency will be to race like against like?—A. Sure.

Q. And to make matches, as they did in the old days when one celebrated horse would be matched against another celebrated horse and let them run on even terms?—A. Sure.

Q. You know what the handbook man is?—A. Yes.

Q. Do you discover any difference between bookmaking on the race track and betting with the handbook men?—A. Well, they are both betting.

Q. Is there any distinction you can draw?—A. I cannot see any distinction.

Q. Could the handbook man exist without the track?—A. Without bookmaking on the race track? Certainly, he could not.

Q. He could not?—A. No, how could he?

Q. There is one other thing, you have some experience or observation in the matter of stallions sold from Kentucky that were splendid types of animals for breeding purposes, and yet they were not what was required for the race track?—A. That they could not win races?

Q. Yes?—A. Certainly.

Q. Is it so that an animal which may be a first-class animal for breeding purposes may not be a desirable animal for the race track under present conditions?—A. A horse that was a first-class race horse might not be suitable for breeding?

Q. No, the other way round, a horse that might not be by reason of his size or some other feature of his conformation, adapted to the race course might still be a first class horse to use for breeding hackneys?—A. Certainly, it might be used for breeding thoroughbreds, I have known it.

Q. Have you any incident in your mind now of the style of stallions of that class that you know of?—A. I have seen many horses in Kentucky that were good horses, but did not prove very good sires, and they were sold at a very cheap price; I was not there at the time or I would have bought them. I remember three stallions that were sold down there, 'Favor,' 'Terra Cotta,' those are horses that I know well and that would have been great horses for Canada for breeding purposes, and there was another an English horse that would have been a good horse for Canada.

Q. Why were those horses sold at ridiculous prices?

By Mr. McColl:

Q. What is the name of the other horse of the three?—A. Fortissimo.

By Mr. Raney:

Q. Why were they allowed to go at such ridiculous prices?—A. Because nobody wanted them, they had been tried in the stud and would not produce race horses; they had the size, the conformation and the bone, but they did not transmit the speed.

Q. They would not produce the type of race horses that were required for racing?—A. They did not breed them fast enough, that is for speed.

Q. When was this?—A. Probably twenty years ago.

Q. That was long before the Hughes' law?—A. Yes.

Q. What you say is this: that these horses would bring no prices at all, nobody wanted them, because they would not produce the type of thoroughbred for racing?—A. They would not produce the speed.

Q. They would not produce the type called for by the race tracks as we have them to-day?—A. Oh, no, they might produce the type, but they would not have the speed.

Q. But you say they would have been excellent horses for halfbreeds?—A. Those two horses I spoke of would have been grand sires, and there are numerous others that I cannot recall.

Q. In your experience has that been exceptional?—A. No.

Q. Is it always possible to get horses of that kind there at cheap prices?—A. Yes.

Q. Are those horses better adapted for breeding purposes in Canada, in Ontario, than the type of horse that you produce for fast running purposes?—A. That is a very broad question, you might get a horse of that exact type that might produce a very high class race horse. It was that these horses I have spoken of did not transmit speed to their progeny.

Q. That is after experiments that fact was ascertained?—A. Yes.

Q. You know something, of course, of jockeys, you have had them in your employment?—A. Yes.

Q. What about their salaries? I understand that their salaries run up into the thousands sometimes under the present system?—A. Yes, and they did years ago, too.

Q. And they come upon the track at about what age?—A. 14 or 15, they come on as exercise boys, small boys.

Q. And their salary runs sometimes as high as—?—A. When they become jockeys they get as much as \$10,000 as retainer, and then they are paid for their mounts besides.

Q. I understand they make sometimes as high as \$20,000, these mere boys?—A. They are hardly boys then, they are 18 or 20 years of age.

Q. What do you say as to what those boys learn?—A. Some of the boys are taken very good care of.

Q. But on the average?—A. Well, they are boys, little boys picked up anywhere.

Q. I am told they acquire a knowledge of how to bet there?—A. Well, if they get into the betting habit it would start their downfall, I am afraid.

Q. What has been your experience in that way?—A. It has been a varied experience, some of those boys turn out good, and some very bad.

Q. I suppose their surroundings are not what we would call desirable?—A. I would not say that either, some of their surroundings are very good and they are taken good care of, if they get into a good stable.

Q. It depends upon their employer?—A. It depends upon the stable they are in.

By Mr. McColl:

Q. Do I understand that you disapprove of gambling or betting on the race track, or that you disapprove of gambling or betting in every form?—A. No, you do not understand that.

Q. Do you or do you not approve of it?—A. I do not approve of it.

Q. Do you disapprove of it?—A. I do nothing in it.

Q. Do you disapprove of it in all its forms?—A. You asked me if I approve or disapprove of it, and I said I did not approve of it, nor do I disapprove.

By Mr. Raney:

Q. Is that bookmaking?—A. Gambling.

By Mr. McCarthy:

Q. He did not approve or disapprove of it, he occupies a neutral position?—A. It depends upon which view you take of it.

Q. What is your business at the present time?—A. Brokerage.

Q. Where is the address of your business?—A. Where is my address? Corner of Scott and Wellington streets.

Q. What kind of brokerage business are you in, are you a member of any stock exchange?—A. No.

Q. What kind of brokerage business do you carry on?—A. Buying and selling stock.

Q. But you are not on any regular exchange?—A. No.

Q. Is it what is commonly called a bucket shop?—A. No.

Q. You have never been in that business?—A. I have never been in the bucket shop business.

APPENDIX No. 6

Q. Are you a member of the Ontario Jockey Club now?—A. No.

Q. When did you cease to be a member?—A. Some years ago.

Q. How long ago?—A. 17 or 18 years.

Q. Notwithstanding your having ceased to belong to the Jockey Club, do you still continue to attend the race meet?—A. No, I have not been at a race meet for some years now.

Q. How long is it since you ceased to go to race meets?—A. About ten years ago or less. I have been over to Buffalo since then.

Q. Buffalo or Fort Erie?—A. I never was at Fort Erie.

Q. But you have been at Windsor?—A. Yes.

Q. When?—A. About ten years ago.

Q. Then you attended the Hamilton meeting?—A. Yes.

Q. When did you last attend that?—A. Oh, I cannot tell, not for some years.

Q. Not for some years?—A. No.

Q. It would be over ten years ago?—A. That at least.

Q. What was your business twenty-five years ago?—A. Manufacturer and dealer in boots and shoes.

Q. You were a member of the firm of Cooper & Smith?—A. Yes, sir.

Q. Was it when you were in that business that you engaged in the horse breeding industry?—A. Yes, sir.

Q. Where did you have your stable?—A. I wintered my horses in Toronto and Woodstock.

Q. You wintered your horses in Toronto and Woodstock?—A. And raced them around.

Q. How many horses have you wintered?—A. Oh, ten or twelve. Say eight to twelve.

Q. You owned them all yourself?—A. Yes, sir.

Q. You owned them absolutely in your own right?—A. Absolutely.

Q. That would be 25 years ago?—A. Oh, less.

Q. Twenty years ago?—A. Yes, I guess it is twenty years ago.

Q. What was the best horse you ever owned?—A. Oh, that is a question.

Q. Could you give me the name of one of them, the one you liked best?—A. Well, I think one of the best horses I ever had was a little horse named Lloyd Daly.

Q. Did you buy and sell?—A. Yes, I bought and sold. Very little selling though, principally buying.

Q. Very much breeding?—A. Considerable.

Q. Did you sell your colts?—A. Some of them.

Q. You sold them for the purpose of racing?—A. Sold them for the purpose of somebody else racing them.

Q. Their value was as race horses?—A. Yes.

Q. Now, the experience you have been speaking of in Kentucky is how long ago?—A. Since they started it.

Q. Well, how long ago was your last experience?—A. Oh, probably fifteen or sixteen years ago.

Q. I thought that must be so because when you referred to the Horsebreeders' Protective Association you spoke, as I thought at first, as if that association were a thing of the present. My information is that it is a thing of the past?—A. No, it is not, it is a thing of the present. I do not think they did any buying this year.

Q. My information is that 1899 was their last year?—A. 1899? I think you are wrong.

Q. I am wrong. Mr. Fraser corrects himself. It was 1909?—A. I don't think they bought any this year; I may be mistaken.

Q. Now, the evidence which you have been giving does not refer to the present year; it is your experience of fifteen or twenty years ago?—A. Oh, I don't know, it

1-2 GEORGE V., A. 1911

is coming up to the present. Fifteen or twenty years ago was a good deal the same as it is now.

Q. It is a good deal the same as it is now? I understood you to say in your evidence it was not the same as it is now, and Mr. Raney has been leading you to say that this commercializing, as he calls it, has put horse racing on a worse basis than it was fifteen or twenty years ago.

Mr. RANEY.—No, I do not think anything was said about fifteen or twenty years ago.

By Mr. McCarthy:

Q. Did you not understand that that was the kind of evidence you were giving? Let me ask you this question first: was it commercialized even fifteen or twenty years ago when you used to race as you understand the current phrase?—A. The last racing that I did, that I was mixed up with at all, was just ten years ago.

Q. Yes?—A. It certainly was then.

Q. And you were one of the commercializers?—A. I don't know. I had very little betting then.

Q. You did what?—A. I did very little betting then.

By Mr. Blain:

Q. Will you define what the commercializing of racing is?—A. Well racing purely for the dollars and cents that is in it, not for any sentiment at all.

By Mr. McCarthy:

Q. Racing for a purse instead of racing for fun or a ribbon or cup?—A. There is also in addition to the purse a great deal of gambling in connection with it, do you see, which also commercializes it. There was gambling always, but the gambling was more for sentiment years ago. You might have a horse, I might have a horse, and you would back your horse against my horse on sentiment, not on dollars and cents.

Q. You have already told us you have not been on the race track for nine or ten years?—A. Oh, yes, I have been on the race track within the last nine or ten years, I have been in Buffalo.

Q. When were you in Buffalo and how many times?—A. Five or six years ago I was in Buffalo.

Q. And is it fair to say you have been once on the race track within this last nine or ten years and that was in Buffalo?—A. Yes.

Q. Now, you stated that the Queen's Plate, or the King's Plate, as it is now called, was the rich man's game and that it was not as it used to be. I want you to give me your verification of that statement?—A. At the present time such stables as the Hendrie, the Seagram or the Dymont stables will save up two, three, four, five, six horses just to run for the Queen's plate. In olden times such a thing was not heard of.

Q. In olden times who were the men who raced for the Queen's Plate. Now, sir, let us see what the actual facts are. Has it not always been so that there were only three or four breeders who raced for that stake?—A. You asked me about the men who were racing years ago?

Q. Yes?—A. There was John White, a man named Johnson—

Q. Yes?—A. There was a man, I forget his name now, at Elora; Hendrie—William Hendrie—and some person from Brantford whom I forget, some doctor up there. At Seaforth I think there was somebody. There was one man from up round Seaforth. They were scattered around, small breeders.

Q. Now, sir, does the small breeder not enter for the King's Plate every year now, or do you not know?—A. He does enter I dare say but he has not any chance.

Q. Did you read the list of entries for the last Queen's Plate?—A. Go ahead.

Q. (Reads): 'Adam Beck, A. H. Bruner'—A. He is no small breeder.

APPENDIX No. 6

Q. 'A. W. Brien, Caladon stables; George W. Cook, C. A. Crew, Thomas Crooks, Robert W. Davies, John Dymont, H. Geddings, E. B. Hearn, W. H. McDowell, H. J. MacLean, D. Moggach, H. T. Pierson, Joseph F. Seagram, W. W. Thompson, Valley Farm stables'—it is the Hendrie stable—'Walter and Wills, and the Woodstock stable'—that is Boyle?—A. Will you tell me who bred all those horses; do they breed themselves?

Q. I cannot tell you?—A. I thought not.

Q. But will you tell me did those gentlemen whom he spoke of breed their horses also?—A. Yes, they were breeders.

Q. They were not any more breeders than these gentlemen I have named. Harry Geddings is as big a breeder as any man you have named?—A. Yes.

Q. George W. Cook is just as big a breeder?—A. Well go on.

Q. John Dymont's stable has grown from a small bin?—A. That is right.

Q. And Mr. Dymont is the same kind of breeder as everyone of those you have named?—A. Cook and Dymont are both rich men.

Q. But they were not always so were they? You can remember John Dymont when he had a small stable. It has grown to its present condition?—A. We are talking about the present time.

Q. I know we are but you were talking about the olden times?—A. But Mr. Dymont always had a good sized stable.

Q. Now, sir, on your oath—A. Yes, sir, on my oath.

Q. How many horses did John Dymont have about fifteen years ago?—A. I could not tell you that.

Q. No, sir?—A. Can you?

Q. Yes, I can pretty nearly tell you, but I am not being cross-examined. You say they always had big stables. Now I ask you how many horses they had fifteen years ago?—A. I could not tell you.

Q. Then why did you make the statement?—A. I do not know whether he had horses at all fifteen years ago, he might have started in fourteen years ago.

Q. And he might have started in and had horses twenty years ago?—A. He might have.

Q. You remember 'Disturbance'?—A. I do, very well. Do you say 'Disturbance' was a great horse?

Q. I think he was a great horse, wasn't he?—A. I owned him and you have another think coming.

Q. He was a great horse, was he not?—A. No.

Q. He was not a great horse?—A. No, he wasn't a great horse.

Q. Nor a great sire?—A. Most emphatically he was a failure.

Q. Do you remember 'Disturbance' racing with 'Bonny Bird'?—A. Yes.

Q. Who owned 'Disturbance' then?—A. Abingdon.

Q. Was that a great race?—A. 'Bonny Bird' had him licked from the drop of the flag.

Q. How far did she win by?—A. Just as far as she wanted to.

Q. And you say that 'Disturbance' was not a great horse?—A. No, he was not even a miler, he was a three-quarters of a miler.

Q. As a three-quarters of a miler, do you say he was not a great horse?—A. No.

Q. And is the rest of the evidence you have given here as true as that statement?—A. Just as true.

By Mr. Blain:

Q. Do you mean to say that it wasn't an honest race?—A. No, I do not, but 'Bonny Bird' had him beaten from the start, she was running at her own distance and that horse of mine, Lloyd Daly, the first time they ever met, licked 'Disturbance' bad in three-quarters of a mile, and that was his own distance.

1-2 GEORGE V., A. 1911

By Mr. McCarthy:

Q. Is there any difference in the entries for the King's Plate to-day compared with the entries of fifteen years ago, except that the horses are of a better standard?—A. There is a difference, certainly.

Q. In the kind of entries and in the places from which they come?—A. Once upon a time they used to have the Queen's Plate run all over the country and now for some years they have had it centralized in Toronto, at the Ontario Jockey Club's meet.

Q. I am talking about the entries now, not about where the races were run, what do you say as to that?—A. There is a difference in the entries, certainly.

Q. Does the King's Plate assist greatly the breeder of to-day more than it ever did?—A. I cannot see it.

Q. Can you point out wherein it does not, having regard to that list of entries?—A. Because as I have said it is a rich man's game now.

Q. You say that it is a rich man's game, but the poor man participates in it according to the list of entries you have before you, if these are poor men?—A. If he does it is to his disadvantage, he hasn't much chance, not one in a thousand.

Q. Was it not always so, that a certain number of rich men entered their horses in that race as well as the poor men?—A. They would enter one horse, but now a rich man enters half a dozen horses and starts three or four, and anybody that knows anything about racing knows that the man with three or four horses in the race has the advantage, he knows pretty well what will happen.

Q. But the unexpected sometimes happens, does it not?—A. Certainly.

Q. And a man of moderate means won the King's Plate two or three years ago.—A. But who bred the horse?

Q. It does not matter who bred the horse?—A. But if she had run the next day she wouldn't have won it.

Q. Like a good many others your backsight is better than your foresight?—A. That is so, if we all knew to-day what is going to happen to-morrow we would be in clover.

Q. Well, you say we have not produced any good horses in Canada?—A. I cannot recall any except probably Havoc was a good horse.

Q. Was 'Martinmas' not a good horse?—A. He was not produced in Canada.

Q. Was 'Havoc' produced in Canada?—A. Well, a son of 'Havoc's' was a Queen's Plater.

Q. Which one?—A. 'Inferno.'

Q. You admit that 'Inferno' was a good horse?—A. I do not admit it, he was only a fair horse.

Q. How does the class of horse owned in Canada to-day compare with those owned here fifteen years ago?—A. A better race horse.

Q. They have improved tremendously?—A. That is, there are more of them, I must qualify that statement.

Q. And of a better class, are they not?—A. I do not think we have better horses in Canada of late years than 'Long Taw' was, I do not think so.

Q. When did you go and look over the Dymont stable or the Seagram stable or the Hendrie stable last?—A. Some few years ago.

Q. How many years ago?—A. Comparatively few years.

Q. How many?—A. Two or three years ago.

Q. Were you in Mr. Seagram's stable two or three years ago?—A. I do not think so, I was in Mr. Dymont's.

Q. Were you in Mr. Hendrie's stable?—A. I do not think so.

Q. You were in Mr. Dymont's stable, where is it situate?—A. It was at the Woodbine at the time, down near the lake.

Q. You saw the horses Mr. Dymont brought to the race meeting, you have not been at his farm at all?—A. I never was at his farm.

APPENDIX No. 6

Q. You have never been at Mr. Seagram's farm?—A. Oh yes, I have.

Q. How long ago?—A. Quite a number of years ago.

..Q. And you have never been at Mr. Hendrie's farm at all?—A. I have.

Q. How long ago?—A. A number of years ago.

Q. How many years ago?—A. Quite a number, I cannot recollect.

Q. Was it fifteen years ago?—A. That at least.

Q. Now the purses which are given to-day are very much larger than were given ten or fifteen years ago?—A. Certainly, the country is larger.

Q. And they bring larger fields?—A. And fifteen or twenty years ago for the first few years after the Ontario Jockey Club was formed there was one bookmaker on the track and now I think there are fifty or sixty.

Q. The bookmaking business has grown like every other business in the country. I suppose?—A. Oh it has, and it has got to be a prominent feature.

Q. Do you know how the purses compare now with what they were twenty years ago?—A. They are very much larger.

Q. \$120,000 were given in purses last year, you know that?—A. The Jockey Club figures would show it, was that money given by the Jockey Club?

Q. That is the money given in purses?—A. Or is that the total amount of money which was won, because a great deal of that money is the horse owners' own money.

Q. That is the amounts paid in the way of entrance fees, you mean?—A. Yes, they are racing for their own money.

Q. Do you or do not agree to the proposition that it is necessary to give such large purses in order to get the best class of horses there?—A. The larger the purses the better the horses come.

Q. The larger the purse the better the horses, that is so in England as it is in Canada?—A. I should imagine that would be so, I say the better horse would naturally come for the larger money.

Q. Then speaking from a racing standpoint, if you want to improve the standard of race horse you have to give large purses to induce the breeding of them?—A. It certainly would improve the breed of horses.

Q. Now there are very few men that can afford the luxury of breeding race horses in Canada unless there were some large purses to run for, is that not so?—A. I think that the men who are breeding in Canada could afford to keep on breeding if there were no purses given. In fact I think it would be far better for them if they did not race any of their horses, because it costs more to race them than the win.

Q. You think racing is not necessary?—A. It costs them more than they win.

Q. Then you disagree with all the witnesses we have had, who say that it is necessary to race the horses in order to test them for stamina, endurance and courage?—A. Oh, no, no, nothing of the kind.

Q. Then you do agree with them in that?—A. I do.

Q. Then you agree that in developing the thoroughbred racing is necessary?—A. Certainly it is necessary.

Q. You think that these thoroughbred horses are used in the stud to cover light mares?—A. I guess they are used for any mares that come along.

Q. It is not usual to cross the heavy draught with the thoroughbred, is it?—A. I think myself that is a little extreme.

Q. Then my first statement is correct, that the thoroughbreds are used to improve the light horses?—A. They are used to cover the heavy mares too, but there are many mares on the farms throughout the country besides the heavy draughts and besides the Clyde mares.

Q. And if a better class of thoroughbred sires are used the better will be the class of the halfbreds?—A. I agree with you.

Q. There would not nearly be the class of horses, or the number of horses in Canada of the thoroughbred kind if it were not for the racing that has been carried on; do you agree with that?—A. I do.

Q. Therefore, the racing in Canada has very much improved the thoroughbred horse?—A. I don't agree with you there.

Q. You don't agree with me there?—A. No, I think we—

Q. Why don't you agree with me?—A. From my experience.

Q. What is your experience?—A. My experience is, and I handled a good many halfbred horses, that I had just as good halfbreds thirty years ago, thirty-five years ago, as I see around now. I have not bought them of late years, but the halfbreds that I see now, I do not think they are any better than they were thirty-five years ago.

Q. But the halfbreds that you had were from imported sires, in those days there were mighty few home-bred thoroughbred sires used?—A. There were just as good thoroughbred sires in the country.

Q. Home-bred, bred in Canada?—A. No.

Q. That is what I said. You did not follow me, I said there were no Canadian-bred sires in those days?—A. Oh, there was 'Jack the Barber,' I remember him, he got very good stock.

Q. Was he a Canadian-bred horse?—A. He was a Canadian-bred horse, or 'Young Jack the Barber.' There are others that I cannot recall just now, but they were principally imported.

Q. Principally imported?—A. From either the States or England.

Q. There were very few in number of Canadian-bred stock?—A. Yes, there are very few in number used now, I am thinking.

Q. There are very few in number used now?—A. Yes, they are mostly racing.

Q. I think you are wrong there. If you went to statistics?—A. I doubt it.

Q. You would find there are quite a number?—A. I would like to know if there is a Canadian-bred horse used in the stud at the present time used for getting thoroughbreds?

Q. You would like to know?—A. I would like to.

Q. You have the evidence of one that was bred in the county of Ontario by Mr. Seagram, a Queen's Plate winner.

Mr. RANNEY.—Just one.

By Mr. McCarthy:

Q. We have that in evidence?—A. I am judging from a breeding standpoint.

Q. There is 'Inferno,' if not at present true of him it will be?—A. Oh, well, I will agree with you there. He is a fine horse. I am judging for myself. I do not know of any Canadian horse I would like to breed a thoroughbred mare to with the idea I would get a good race nag, when I can get another horse.

Q. Have you seen 'Inferno'?—A. I have seen 'Inferno,' I have seen him as a baby.

Q. There is no criticism to be made of 'Inferno'?—A. He is a fine horse.

Q. There is no criticism to be made as to stamina, conformation or anything else?—A. He is a fine horse. On his dam side I don't think he is bred very well, if I recollect right. Yes, on the dam side he is bred all right, but not on the sire's.

Q. He is bred by 'Havoc'?—A. And 'Havoc' is not very well bred on the dam side.

Q. You are getting too deep for me?—A. Not for your friend Nelson, he is very well posted.

Q. What were the names of those three sires that were sold in Kentucky?—A. There is 'Favor,' sired by 'Pat Molloy'; 'Terra Cotta,' sired by 'Harry O'Fallon'—

Q. And when he was sold?—A. He was in his prime. 'Fortissimo,' I remember, was twelve years old. I know if I had been there I would have bought the three of them and brought them up here and would have left 'Fortissimo' behind me.

Q. How old was 'Favour'?—A. About the same.

Q. My friend tells me he was older still?—A. Well he is mistaken. Older than twelve?

APPENDIX No. 6

Q. How old did you say 'Terra Cotta' was?—A. About twelve. He may have been fifteen, but he was in his prime in the stud.

Q. Why was it these horses were sold or shipped away, if they were in their prime?—A. Because they could not transmit the speed to their progeny, they could not get results.

Q. That had been demonstrated?—A. Yes.

Q. They were not good sires for getting speedy horses?—A. They would not get numbers of them.

Q. And these breeders with whom you were familiar and whom you have spoken about, sold them?—A. Yes. I think Milton—

Q. Were those horses imported?—A. No, Terra Cotta was by an imported horse. One horse was imported.

Q. They were imported or bred in Kentucky?—A. In Kentucky.

Q. And it was because they were not getting speedy horses that they were sold?—A. Yes.

Q. They would be most useful for getting half-bred horses?—A. Sure.

Q. Therefore, the racing men produced for the use of the horse breeding industry these horses?—A. I would not go on the racing ability, although that would be in their favour.

Q. I am speaking of the racing men, the owners of the race horses. They produced those horses and sold them to the farmers and others at low prices, so that they were able to get good half-bred horses?—A. Sure.

Q. The inference I am trying to draw seems to be, and you will tell me if you agree with me, is that?—A. The race track produced those horses. They were produced before going on the race track. They were produced on the farm.

Q. But produced for racing purposes?—A. They were.

Q. And if they had not been these stallions, whether breeding for racing purposes or not, would not have been in existence, and would not have been in the hands of these men?—A. They might not. You might say this great horse King James might not have been in existence if I had not sent Old Teleina down to Kentucky. Her daughter is a grand dam of this horse King James. If there had not been a man kicked by a horse and killed, I would not have owned it, and if this man had not been killed, King James would not have been here. I bought this mare and shipped her down to Kentucky. She had a daughter and that daughter had a daughter, who was the dam of this horse King James, one of the greatest horses that was ever on the Woodbine. Certainly he was a great horse; did you ever see him?

Q. If we had not had very high class racing in Canada we would never had seen him, would we?—A. In those days when Tolima came here she was not in a high class.

Q. I was speaking of King James. If it had not been for the high class racing in Toronto, King James would not have been there to race?—A. He would not have come here.

Q. And we would not have had the pleasure of seeing that great horse?—A. I did not see him.

Q. Well, you missed something?—A. I guess so.

Q. Well, the climatic conditions, you say, are not favourable to the production of the thoroughbred horse in Canada?—A. I don't think they are.

Q. We have to contend, in other words, with climatic conditions?—A. I think so.

Q. What is the difference between the thoroughbred horse and the standard bred horse?—A. Well, I don't know much about standard breds.

Q. Do you think the climatic conditions would affect one more than the other?—A. I don't think the standard bred horse is as high a type of animal as the thoroughbred.

Q. Would it be hardier?—A. I think he would be hardier; there is more cold blood in him. At the same time you would probably like to hear that I think the more thoroughbred you put into the standard bred I think the better he is.

Q. I think so to, but what I was going to draw attention to, if your evidence had been more favourable on this point, is that we are able to produce in Canada the fastest trotter in the world?—A. Well, I want to tell you that the great trotting horse sire came from Lower Canada where they have colder weather than in Upper Canada—that is Pilot Junior.

Q. That is so. Well in this, is it not, I am a little astray on the thoroughbreds; possibly the climatic conditions are not favourable?—A. Well, it is a question. I have discussed it with a man who knows just as much about as I do.

Q. There is no doubt that climatic conditions are against Canadian horses being in shape for the May meeting, but when you come to the summer here, Canadians can get their horses in this country in as good shape as in Kentucky?—A. If you will allow me I will give you the reason why I think it. The race horse is not a product of nature any more, he is a product of art. When you have got to breed a horse and feed him as you have a two-year old, you have got to resort to art as against nature. You have got to develop his muscle, to develop the bone, to develop the size, and the only way you can do that is by shoving oats into him, and you have to give him green food when you are putting oats into his little stomach, or you will get his stomach all baked up and make him sick. Now, in Kentucky there is not as cold weather as there is here and they have the advantage over us in that respect, in the frozen grass you will see these little green tufts coming up and they feed them to these little colts, babes as they are, so that they can feed them on oats as well. And this green food will help keep the stomach of the colt in order and make them grow up strong, while if you try to shove the oats into them here in order to give them the growth and the strength, you have not the green food to tone it down and it will bake their stomachs up without it. I have seen finer looking colts bred in California so far as size is concerned than in Kentucky, handsome horses 16 hands high, but no good as race horses, and I have seen fine yearlings bred here that did not amount to much as racers.

Q. But there isn't any doubt that racing improves the price of the horse?—A. There is no doubt about that.

Q. I understand you sold a pretty high priced colt out of Dundonald?—A. That is ancient history.

Q. What was it a yearling or two-year old?—A. A yearling, but I have sold better colts than that.

Q. And the price that you were enabled to get by reason of their racing quality?—A. Sure by reason of the family.

Q. And their pedigree?—A. Their pedigree and the conformation; if we could only see the head and the heart we would know what we were buying.

Q. You spoke to Mr. Raney about the old days when they bet on match races or otherwise, and you thought that the practice then would be preferable to the present system of betting. What occurred in those great match races that used to take place, how big were the bets on either side?—A. I could not tell you that.

Q. Give me an idea?—A. I could not tell you.

Q. Just give me some idea, your history is pretty ancient and you ought to be able to go back to those.—A. There was quite a lot of betting?

Q. How much would the owners bet on a race, then?—A. I could not tell you that.

Q. Give me some idea, how many thousands of pounds?—A. I could not tell you.

Q. Oh, give me some idea?—A. I have no idea.

Q. Oh, yes, you have, go on?—A. It would be only a guess.

Q. Let us have the guess, then, this is in cross-examination and I am entitled to a guess?—A. I am a bad guesser.

Q. I think you are in some things.—A. I know if I try to pick the winner I am invariably a bad guesser.

Q. How much would they bet on these races?—A. Quite a lot of money.

APPENDIX No. 6

Q. An enormous amount of money, would they not?—A. I would not say enormous, there was not so much money in circulation in those days, but there was a lot of money bet.

Q. And you believe betting will go on on the race course no matter what legislation is enacted?—A. There will be betting wherever there is a chance.

Q. Whether it be on the stock exchange, the bucket shop, or in real estate?—A. Wherever there is a chance, even if it is only two flies walking up the window there will be betting as to which will reach the top first.

Q. What therefore did you mean by the evidence which you gave in which you said that you thought it is not necessary to have book-making, regulated book-making on the track, in order to keep the races up to the present standard?—A. I did not say it was not necessary to regulate the book-makers.

Q. Do you or do you not think it wise to regulate them as they were regulated up to the time they were disturbed and made to walk around?—A. I would do away with them altogether.

Q. And you would revert to the old form of individual betting?—A. If they wanted to bet there are other forms of betting besides that.

Q. Yes, there are, but if this Bill becomes law there will be none.—A. I tell you the reason why I would do away with it, as it is now the public do not get a fair run for their money, the percentage of rake-off is too great.

Q. The rake-off is too great, that is your objection?—A. It is too great, the public do not get a fair return for their money.

Q. But the public make the odds, do they not?—A. They do.

Q. That is a correct statement?—A. And the book-maker stands there and lets them make the odds—no, the book-maker makes the odds, but the money regulates the odds.

Q. Supposing the book-maker puts up his odds, and supposing the public money comes in on one horse, does not that regulate all the others?—A. That will certainly cut it.

By Mr. Raney:

Q. But you mean that the book-maker makes the odds?—A. The book-maker makes the odds.

By Mr. McCarthy:

Q. In the first instance, but is not that regulated entirely by the amount of money that comes in on the horses?—A. I should say it was.

Q. Then where do you distinguish and say the public do not make the odds?—A. If the public made the odds they would get a great deal better odds than they do, there is too much rake-off, the book maker pays \$100 per day to the Jockey Club, to support it, and in order to be able to do that he has to make several hundreds out of the public. The Jockey Club has no reason to take so much money out of the public when they have already charged a good admission fee in order to get into the place.

Q. I am content to leave it there, that is your answer.—A. It is too big a rakeoff.

Q. But supposing there is not a rake-off, you do not see any harm in the actual book making?—A. I would do away with it myself, personally, there are other ways of betting.

Q. It is not that you are opposed to betting, but to the method of betting?—A. There will be betting wherever there is chance, you cannot do without it.

Q. I would like to have your substitute, or what you would propose; how would you improve it if you do away with the book-making?—A. Well, I certainly think that the Pari-mutuel is the best thing I know of, but you might know of something better still.

Q. But if you cannot substitute that you would do away with book-making?—A. I think I would do away with book making.

1-2 GEORGE V., A. 1911

Q. Then you do not agree that the condition of affairs if you try to do away with book-making and did not substitute the Pari-mutuel would be worse than it is with book making?—A. I do not think it would be worse.

Q. Well, it would be as bad?—A. How?

Q. This betting you speak of would be going on?—A. Between you and I?

Q. And the gentleman in disguise would be walking around there as you well know?—A. They would soon be put out.

Q. Have you been on the New York tracks?—A. Oh, yes.

Q. Since the Hughes' law was passed?—A. No, I have not.

Q. You think that the promiscuous betting between individuals on the track would be better?—A. I think it would right itself.

Q. You think it would be better than regular book-making?—A. The commercializing of horse-racing?

Q. Where did you get that phrase from 'commercializing' of horse racing?—A. I think I must have picked it up around here.

Q. You have fathered it, and I am going to get you now to analyze it.—A. I do not know of a better word, if you do not like it, suggest another and I will use it.

Q. As far as the Ontario Jockey Club is concerned, you must know if you live in Toronto, that it is not run as a commercial concern at all.—A. I would like to know what it is.

Q. Mr. Raney tells us that it is worth \$500,000 in assets and the total dividend paid is \$1,000 a year on that investment of a half a million dollars.—A. My dear sir, if they have a half a million assets they are robbing the horsemen.

Q. I am telling you what Mr. Raney says, I am not making the statement.—A. Then you should not use it if it is not true.

Q. These assets are composed of the value of the race course, the value of the stands, and the value of the stables, these are the only assets they have, barring a surplus they have made which they are holding because of the uncertainty caused by this proposed legislation but which they are ready to expend in proposed improvements as soon as the question is settled.—A. What about the farm on the lake shore road?

Q. Yes, they have made a purchase in connection with contemplated changes.—A. They got it from the poor unfortunate horsemen as a body, I think, I do not know of any horsemen yet who has not died poor.

By Mr. Raney:

Q. And from the public?—A. Oh, hang the public, the public got return for their money, the public have no kick coming, they knew the price to get in and they paid it, they have no kick coming.

By Mr. McCarthy:

Q. The horsemen have not any kick, have they?—A. Yes, they have.

Q. Then why don't they kick?—A. Because they know they might just as well run their heads against a brick wall.

By Mr. Moss:

Q. You tried it, did you not? Why did you get out of the game?—A. I have no kick coming.

By Mr. Raney:

Q. You had better answer the question now that it has been put, why did you go out of the game?—A. Because I could not afford to continue in it.

Mr. RANEY.—Let us not have any insinuations.

Mr. MCCARTHY.—There are no insinuations.

Mr. RANEY.—There was a very distinct insinuation.

The WITNESS.—I don't mind those insinuations.

APPENDIX No. 6

By Mr. McCarthy:

Q. Now, Mr. Smith, I am informed that you got down to a pretty low strait?—
A. Why certainly I did.

Q. And you were addicted to an unfortunate habit at that time?—A. Not at all, I won't admit anything of the kind.

Q. You deny that?—A. Yes.

Q. Positively?—A. Positively. I deny anything of the kind.

Mr. RANEY.—We have the insinuation now for what it is worth. Perhaps my learned friend will prove now what he set out to prove by this witness. This is the first time we have had anything of the kind before this committee, and I think it is unfortunate.

Mr. McCARTHY.—It may be unfortunate.

Mr. RANEY.—It is unfortunate.

Mr. McCARTHY.—What does my learned friend mean?

Mr. RANEY.—This is the first witness who has been insulted.

Mr. McCARTHY.—He has not been insulted. The witness invited it.

The WITNESS.—You made an insinuation as to why I went out of racing. I will tell you why I went out of racing. I raced for amusement.

By Mr. McCarthy:

Q. You raced entirely for amusement?—A. Yes.

Q. You did not care what the purse was?—A. I ran for large and small.

Q. You did not breed to sell for a large price, as large as you could get?—A. My intention was to breed altogether and to keep my stock.

Q. But you did sell?—A. I did.

Q. And sold for as large a price as you could get?—A. I sold at public auction.

Q. And you did just like these other breeders do?—A. Certainly, I could not do anything else.

Q. I should think not. Now, you say it is absolutely necessary to have book-making on the tracks in order to run the handbooks?—A. The handbooks could not run without the book-makers.

Q. On the race track?—A. Certainly they could not, because they are identical copies of that book-makers.

Q. That is the only reason you have?—A. That is plain.

Q. We are told there are book-makers on the New York race tracks?—A. Are there?

Q. Do you know whether there are betting handbooks on the New York races to-day?—A. I do not know for a fact.

Q. You do not know that?—A. No.

Q. It has been sworn to over and over again?—A. I will admit it, but they must have bookmaking on the tracks or they could not have the odds.

Q. But I am showing you that they do, that there is no bookmaker on the New York race tracks, but the handbooks are betting on them?—A. I think they are betting on the odds that are given in certain papers, and there must be bookmakers.

Q. Those odds are made otherwise than by bookmakers?—A. There must be bookmakers.

Q. That is your theory, at all events?—A. I think so.

Q. All the handbook requires is to make the odds. If the odds are made the handbook men can ply their business, can they not? Cannot the handbook man make his own odds?—A. Now, I was discussing that matter with a man in Toronto the other day who is posted. There are bookmakers on the tracks around New York. Now, I do not know that I can give this evidence from actual experience, but it is what I believe, and I have no doubt about it but that there are bookmakers.

By Mr. Monk:

Q. And there are books?—A. Yes.

By Mr. McCarthy:

Q. In New York?—A. Yes, but no money changes hands.

Q. And what is the way they are operated?—A. Suppose I am a bookmaker. Mr. Miller comes to me and says, 'What is the price against so and so?' 'It is two to one.' 'Put me a hundred on it.' I do not take that memorandum, a man standing at my shoulder takes that memorandum, and if Mr. Miller loses he will pay up that morning or that evening—the next morning usually—at this man's office.

Q. If he wins you pay up?—A. If he wins I pay up.

Q. In other words, that is an oral bet, not what is called nowadays bookmaking, but private betting?—A. Private betting. I suppose so.

Q. And if we abolish bookmaking that is what we would have going on on the Canadian tracks?—A. Not necessarily, I do not think.

Q. Not necessarily?—A. No.

By Mr. Monk:

Q. Have you any doubt that would go on?—A. Well, it would be stamped out. You see there cannot be as much of it, there is not that much betting going on.

By Mr. McColl:

Q. But, Mr. Smith, the object of the sporting element, that is those who go to the race track for sport and bet as an incident of the races, under the present conditions in New York, would not that be defeated? There would not be that class of betting, but there would be betting by those who gathered purposely for it, purely for the love of gambling?—A. They must be known.

Q. That is going on now as well as before?—A. Yes, but the men who go to the race track for the sport of the thing, to see the horses race, it does not matter to them whether there is any betting or not, they will still go.

Q. Now, that class of sporting men who go to the races for the love of the thing do not bet under the present conditions, but gamblers do?—A. Well, I have bet a good deal of money on races, and I can go to a race track for a week and never bet a cent; it does not worry me.

Q. I am trying to get at the conditions. You have given us some important information about what is taking place on the New York tracks since the passing of the Hughes law?—A. Well, there is betting.

Q. You say, if I understand you rightly, that bookmaking is going on but not in the form that it was before?—A. Yes, to a limited extent.

Q. Now, I am trying to find out what that limited extent is?—A. I am not well enough posted.

Q. I am going to classify the men that bet. The regular gambler is betting just as much as he did before, but the sport is not betting at all?—A. The sport? You mean—

Q. The man that goes there for the sport and bets his two or three dollars and so on. You admit there are a large class of such men that go to the Woodbine now?—A. Well, I am not so well posted on the Woodbine of late years.

Q. Well, when you were?—A. I don't suppose there is any change.

Q. People go there and spend one or two dollars. While they were enjoying the races and the opportunity was before them they would bet?—A. Yes.

Q. They do not go there to make money but to enjoy the sport to the fullest extent?—A. Yes.

Q. Now, I suppose there would be on the New York tracks before the passage

APPENDIX No. 6

of the Hughes' law that class of men who would bet and patronize the bookmaker?—

A. Before the—

Q. Yes, before the passage of the Hughes' law?—A. Sure.

Q. Now, is that class entirely cut off? They would not go in that clandestine way to bet and therefore that class of betting is probably cut out entirely; would that be correct in your opinion?—A. Well, I cannot say. If they wanted to bet they could bet.

Q. But the man who is a sport does not want to go and bet and break the law?—

A. But it has taken the power of betting out of the hands of a great many—the Hughes' law.

Q. I admit that, but I am talking of a class of bettors. The man who formerly bet, I will say as a sport, not as a professional—although he may patronize the races he would not now engage in betting and therefore that class of betting is wiped out?—A. Well, I should imagine so.

Q. But you have told us that the betting is going on and that therefore there must be bookmaking going on?—A. In order to get those odds.

Q. In order to get those odds?—A. Yes. Now, in New York State before the Hughes' law was passed there would be a certain number that would go there that perhaps did not care a snap about the races, they never looked at the horses but would go there for betting?—A. Betting for the excitement.

Q. That class goes there to-day the same as before?—A. Yes.

Q. And that is the class that is doing this clandestine betting?—A. That is what you would call the professional betting man. I should imagine he could bet. Yes, he is the man who would bet.

Q. So that what I would suppose was the objectionable form of betting has not been cured by the Hughes' law?—A. My dear sir, I do not see any objection to a man betting if he wants to.

Q. You do not see any objection to it at all?—A. No. That is where Mr. Raney and I do not agree.

By Mr. Blain:

Q. You do not see any objection to what?—A. To betting. If a man wants to bet let him bet, it is his own business.

Q. With the bookmaker or anybody else?—A. Let him bet with whom he likes. He will bet in the easiest place he can.

Q. And you are not opposed to bookmaking on the race track?—A. I think I would remedy that bookmaking. I think—

Q. How would you remedy it?—A. Well, I would have the Pari-mutuel, I think that is better betting. The public themselves make their own odds, the weight of money makes the odds.

Q. And as a matter of fact you are in favour of betting of every kind on the race track?—A. Not of every kind, no.

Q. What kind would you prohibit?—A. If you have got to have racing that, I think, is the most feasible because the public get their money all back again except a small percentage.

By the Chairman:

Q. If you have racing you have got to have betting, that is what you meant?—

A. You have got to have betting. Why I think the Pari-mutuel is the most feasible kind of betting is because the people get their money all back again with the exception of a small percentage.

Q. Do you not see any evil in bookmaking on the track. What is your experience?—A. Oh, well, there is evil in everything as far as that goes in the way of gambling. I don't think gambling is right at all.

1-2 GEORGE V., A. 1911

A. If a law were passed in Canada to prevent bookmaking, with that object in view, and if that law were enforced to its full extent as it could reasonably be enforced, could there be any extensive amount of betting going on on the track with bookmakers in disguise who were endeavouring to evade the law?—A. No.

Q. It could not be, it would not be possible?—A. No, no doubt there would be a limited amount, but it would be very small.

Q. Take, for instance, a bank clerk who was attracted to the race track through his love of excitement or his love perhaps for horses, would these bookmakers in disguise who were endeavouring to evade the law offer to that young man the same temptation to bet on the races as is now offered by bookmakers carrying on their business openly?—A. I do not think so, I do not see how it could.

By Mr. Blain:

Q. It was stated by some other witness that there is a great deal of handbook making carried on in cigar stores, barber shops &c., in Toronto, do you know anything about that?—A. There may be, I was reading in the newspapers that there were two or three hundred handbook makers in Toronto, I know probably four or five, but I do not think that there could be twenty.

Q. Do you make any handbooks in your office?—A. Oh, no.

By the Chairman:

Q. I understand that the betting in certain places in the United States and Mexico affords a field for the Canadian handbook man, and that on the other hand the Woodbine track in Toronto and other Canadian tracks afford a field for the handbook men in New York State?—A. There is no doubt about that.

Q. Then all these countries working together will certainly cut out the handbooks?—A. Yes, and there is a very objectionable feature in connection with it and that is I know for a fact that it is the handbook man goes around to the factories and canvasses for customers and collects 25 or 50 cents from the factory hands.

By Mr. Monk:

Q. Are you opposed to that handbook business?—A. I do not think it can do any good, I do not see any benefit from it.

Q. Do you make any difference between that and bookmaking?—A. They are practically the same.

Q. You consider them practically the same, betting on the race track and handbook making?—A. I think so, yes.

By Mr. Counsell:

Q. In connection with the handbooks the handbook is of very recent growth, is it not?—A. Yes.

Q. And you know about the pool rooms?—A. Pool rooms are of comparatively recent growth too. I remember when I was racing that I could not make a bet on any of my horses unless I went to the track and made the bet there, that is not so many years ago.

Q. That is twenty years ago?—A. Yes.

Q. But the pool rooms were of subsequent growth?—A. Yes, but I do not think there are any pool rooms now, not in Toronto.

Q. Did you hear the evidence of the witness Batt, yesterday?—A. I was not here.

Q. He is a butcher, and he said that if a man came in and wanted to make a bet with him sometimes he took it and in that way he was running a handbook to that extent?—A. I think he was a wise man too.

APPENDIX No. 6

Q. Well, you know what the detectives and others have said, that there is a tremendous quantity of that kind of thing done in the barber shops, the cigar stores, etc., where people come in and say, 'I will bet you \$2' on some race at Jacksonville, the next day?—A. No doubt there is.

Q. And you say you know four or five places yourself where you can bet any amount you like in that way?—A. Not from experience, I haven't made a bet in a handbook in my life, not from any moral reason, but I never bet with the handbook.

Q. But you follow what is going on?—A. Yes, I know about them.

Q. You recollect the races in New York State last year?—A. Yes.

Q. And every morning the odds bet there would be published in the newspapers?—A. Certainly.

Q. Showing that bookmaking was going on there?—A. Sure.

Q. That is it is conducted in disguise?—A. Sure.

Q. And if a man were bookmaking there if he could go around and do business, it was evidence of the fact that they were doing business in contravention of the law?—A. Yes.

Q. I consider that conditions in that way would be worse than with the open system of bookmaking?—A. I do not think it would.

Q. Would not a man betting under those conditions be tempted to bet more than he would if he had to put the money up at the time?—A. I do not think so.

Q. To be perfectly fair, under the old system of bookmaking you go down to the bookmaker, and you put up your money?—A. From my own experience when I wanted to bet a large amount of money in days gone by I never put the money up.

Q. Of course you were well known to the bookmakers?—A. Yes.

Q. And they never defaulted on you, did they?—A. Never.

Q. They were a pretty good lot of fellows?—A. As far as my knowledge goes, but I do not know the present day bookmakers, they say they are a bad lot, that they are largely Jews.

By the Chairman:

Q. You say they are Jews?—A. Yes.

By Mr. Counsell:

Q. Ab. Orpen is not a Jew, is he?—A. No.

Q. And you remember Rod McMahon?—A. I know of him.

Q. And you remember Haskins?—A. He was a fine fellow, a splendid fellow.

Q. It is your impression that they are Jews, but you have not been there for fifteen years, and you probably have been in company with Mr. Raney?—A. No, I never met Mr. Raney until a week or so ago, I had heard he was very Puritanical and I was not surprised at it.

Q. Are you familiar with present conditions on the race track?

Mr. MCCARTHY.—He said he had not been on a race track in Canada for ten years, and that he had been once on the Buffalo track in ten years.

A. You do not require to be on the race track in order to be familiar with the conditions.

Q. My information with regard to the sale of the scrubs, as you call them, from the breeding establishments in the fall of the year is that a certain number of breeders have a certain number of horses that are useless for racing or for breeding purposes, for instance they want to get rid of their barren mares?—A. Yes.

Q. There are a certain number of animals that will be constitutionally unsound, or have met with some accident or developed some defect or malformation or a mare may be barren, and that those animals are sold?—A. If she is malformed a practical man would never have bought her.

Q. I mean that she does not breed?—A. A breeder will not sell a good animal because of her failure to breed for one year.

Q. No, but do you know this, I am informed it is a fact that a mare that is barren when served by a horse will when crossed with a jack produce a foal?—A. A barren mare will produce nothing.

Q. You do not know that these mares which are found to be barren at the breeding farms in Kentucky are sold to be sent south and bred to jacks?—A. Those mares a great many of them are carrying foals when sold. They are sold because a great many of them have been tried year after year and have not produced racers.

Q. You have been at those sales?—A. Yes, I have been.

Q. When was the last sale you were at?—A. Probably four or five years ago.

Q. Do you know of any stallions that were sold at those sales because of malformation or that they were constitutionally unsound?—A. I cannot recall any of them.

Q. You do not know what they do with those, whether they would be sold at the same sale as you were at?—A. I do not, the Breeders' Protective Association will advise you as to that.

Q. Just answer my question and you will get through very much more quickly?—A. I do not know what—

Q. Do you know what becomes of those mares that are barren, or malformed, or suffering from any constitutional defect; do you know what the breeders do with them?—A. They would do just as you or I would do with them, dispose of them at a sale.

Q. Do you know of any barren thoroughbred mare crossed with a jackass which has produced a foal, yes or no?—A. I have had no experience myself, no practical experience in breeding mares to jackasses, but I would say that a mare that is barren indeed would not produce anything, whether she is bred to a jackass or anything else.

Q. Do you see any practical advantage in sending those mares down to breed with jackasses?—A. I never heard of it.

By the Chairman:

Q. On an ordinary breeding farm what percentage of mares would prove barren?—A. I have seen it—

Q. I mean habitually barren?—A. Well now you ask me a question. If I said ten per cent I might be right, and if I said fifteen per cent I might be right, and if I said five per cent I might be right. There is a percentage barren for a year, but nature asserts itself and the mare has a colt.

Q. I do not mean to say barren for a year, but almost constantly barren? There will be a very small proportion of any horses on any breeding farm that would be out and out barren mares; would there be more than one in a hundred?—A. Well, if they found they had such a mare they would sell her and get rid of her; but a mare may be barren year after year to one, two or three different horses and another horse will come along and get her in foal. I will give you my experience of the late Major Thomas. He had a mare who got barren for two years. He tried her with several horses and finally brought out a horse from England and sent him down there. She got in foal right away and produced a horse called 'Thomas Cat,' which ran on the Woodbine and afterwards ran in England.

Q. Do you think there would be more than one mare in a hundred on a breeding farm that would go three or four years barren?—A. No. She was a young mare, not an old mare, that went three years barren and then got in foal. When they get up in years they get barren and will not have any foal. Of course, if a man has much sentiment about him and she has been a good mare he will keep her and give her a good home as long as she lives. Another man with no sentiment will sell her if she only brings ten dollars.

By Mr. Counsell:

Q. In your personal experience, and you have had great experience around race

APPENDIX No. 6

tracks, have you any knowledge of a case where a young man has gone wrong through gambling on the track openly?

Mr. STRATTON.—I do not think there is any doubt on that point.

—A. I cannot recall it.

By Mr. Counsell:

Q. You cannot recall any case?—A. I know a good many fellows have gone wrong and probably the race track had something to do with it and other things also, a combination of things. If a man is going wrong he is going wrong.

Witness discharged.

Mr. W. M. GERMAN, M.P., called:

Mr. GERMAN.—I wish to state that I am not here representing a racing association, or horse breeders, or race-track owners. I am here representing the county of Welland, and I am simply speaking because there has been a good deal said about the iniquitous proceedings at the Fort Erie race track. Now I happen to know a good deal about the Fort Erie race track. It was constructed fourteen years ago, and I was in the company that built the track. It cost about \$80,000. The company operated it for about two years, but not being accustomed to that sort of thing they could not operate it with financial satisfaction, and it was leased to Messrs. Palmer and Hendrie—Mr. George Hendrie of Hamilton and Mr. Palmer of Kentucky. During the two years that the company operated the track it was operated as fairly, as honestly, and as properly as any race track in Canada, and from the time that it was leased until this present hour, it has been operated in the same way. It is perhaps only sufficient for this committee to be told that Mr. George Hendrie of Hamilton was connected with it, to know it was operated honestly and properly, and Mr. Palmer, whom I know well, is as equally a gentleman. It has been said that Mr. Madigan is a gambler and that the people who are now owners of the track are also gamblers, but I have met some of them. Whether they are gamblers or not I do not know, as I never happened to gamble with them, but I know that so far as I have been able to ascertain their character, they are gentlemen in their conduct and they operate that track in the highest style of the gentlemanly art. It has been said that these gentlemen have not produced their books. I know personally that Mr. Madigan is a very sick man, and his physical condition would not allow him to be here. As to his books I know nothing about them. I know this, however, that for twelve years—the two years the track was operated by the Fort Erie Jockey Club and the ten years it was operated by Messrs. Palmer and Hendrie—the three sources of revenue to that track were these: the gate receipts, the receipts from the bar, and the receipts from the bookmakers. The bar privileges were leased to Messrs. Crooks of Hamilton. For those years it was from \$100 to \$150 a day. I believe now it is \$200 a day. As to that I cannot speak with authority. The bookmakers pay \$100 a day each. I understand now they pay \$150 a day each. For twelve years they paid \$100 a day each.

By Mr. Stratton:

Q. How many were there?—A. The average number of bookmakers would be about fifteen. In the earlier stages of the track's history they would not average more than eight, but in later years and now I think they will average fifteen. Those are the sources of revenue. The Fort Erie Jockey Club sold out its interest, sold the track to the present owners for \$80,000. My friend, Mr. Raney, made a statement in the opening of these proceedings that there was only \$45,000 in it.

Mr. RANEY.—Of assets I said in value.

1-2 GEORGE V., A. 1911

Mr. GERMAN.—The value of that property to-day as a racing concern is about \$150,000; it has cost that. It originally cost about \$80,000. It was sold to the present owners for \$80,000, and the present owners have put on improvements to the extent of about \$70,000. To-day, gentlemen, it is the finest race track in Canada, bar none, and I have been on them all; and it is operated as properly, as legally, as morally as any race track property in Canada or any place else in the world, and I have been on a good many race tracks not only here but in England. The attendance is not usually very large; the bulk of the attendance is from Buffalo; but for fourteen years there has never been one single instance of any young man or old man standing up, either in court or in prison, and saying that he became bankrupt or lost his money by reason of betting on the Fort Erie race track.

Committee adjourned.

APPENDIX No. 6

COMMITTEE ROOM No. 32,
HOUSE OF COMMONS.
THURSDAY, February 17, 1910.

The Committee resumed at 4 o'clock p.m., the Chairman, Mr. Miller, presiding.

Mr. W. M. GERMAN, M.P.—Mr. Chairman and Gentlemen, I will not occupy your time but a few moments longer. I stated before luncheon the sources of revenue of the Fort Erie race track, now I want to show you what they are paying out, and I would like to leave these two books with you so that you may look them over at your leisure, but the smallest amount of money they pay out is \$2,600 in a day, and from that to \$4,000 and \$5,000 in a day.

Hon. Mr. STRATTON.—Is that for supplies?

Mr. GERMAN.—No, that is to the horses, to the owners of the horses for purses. I will come to the supply problem shortly. \$2,600 a day is the smallest amount, and for the summer meeting of 1910 there is advertised a guaranteed stake, the Dominion Handicap, of \$10,000, of which \$7,250 goes to the winner of the race. I would like you gentlemen to look over these books and see where the money goes. Now it is said that the bookmaker and race-track gambling are evils; well, gambling of any kind I suppose is an evil, but it is doubtful if it can be prohibited. I happen to know by reason of my connection with the Fort Erie race track, a large number of bookmakers and they are largely so far as I have found them, a pretty respectable and genteel lot of men.

By Mr. Blain:

Q. What are the race-track evils, Mr. German?—A. I have never seen any as yet. I have seen more evil on the race track of the Ontario Jockey Club than I have seen anywhere else, but I never saw any particular evil at Fort Erie.

The CHAIRMAN.—As compared with Fort Erie, what do you think of the Woodbine, which is the better track of the two?

Mr. GERMAN.—“Comparisons are odious,” you know, I do not think any of them are bad.

The CHAIRMAN.—I have rather understood, perhaps I am wrong Mr. McCarthy will correct me if I am, but I have understood from Mr. McCarthy and his other associates that the Woodbine was virtuous in every respect, but that the Fort Erie and the Windsor tracks were bad institutions.

Mr. MCCARTHY.—We did not say so, that was Mr. Raney's statement, and we accepted Mr. Raney's certificate of health so far as we were concerned.

Mr. GERMAN.—Let me state that the only reason I am standing before you to-day is because it has been stated and has gone forth to the public that the Windsor and Fort Erie race tracks were operated in a manner which was detrimental to the moral welfare of the country. I say, knowing the Fort Erie track as I do know it, from its inception down to the present minute, that so far as the Fort Erie race track is concerned it compares with any race track in Canada or Great Britain, and that the moral sentiment of Fort Erie is as high as the moral sentiment of any other part of the country.

The CHAIRMAN.—As high even as the Woodbine?

Mr. GERMAN.—Yes, even as the Woodbine. Now one more word. Where does all this money go, and here is the one point I wish to touch. The bookmakers do not make a great deal of money, the horse owners do not make a great deal of money; my friend Jack Smith, who was here this morning, and whom I have known for many

years, says he went broke with the horses, and I do not wonder at it because it takes a wealthy man to keep a stable of racing horses. There are very few men in Canada who can do it; there are the Hendries of Hamilton, Mr. Seagram of Waterloo, the Hon. Adam Beck of London, and Robert Davies of Toronto, they are practically the only men, and the Kirkfield stables, those are practically the only stables I know can do it.

Mr. McCARTHY.—And Mr. Dymont?

Mr. GERMAN.—Yes, and Mr. Dymont. What I want to say is that it takes a wealthy man to keep up a stable of race horses, they do not do it for the money they make out of it, they do it because they want to breed good horses. Would any man say that the Hon. Adam Beck, the late Mr. William Hendrie of Hamilton, Mr. Joseph Seagram, or the late Mr. Dymont, kept his stable for the money he made out of it? They did it for the pleasure it gave them. Race tracks are in the nature of an incentive, because they are able to give good purses, and they do give them. I will venture to say this, gentlemen, that there is not a race track in Canada that would not be willing to give all the money they get from the bookmakers to charitable purposes, so far as that particular amount of money is concerned. It is not the money they collect from the bookmakers, but if the people went on a race track and could not bet there they would not go to the track again and you would not get their entrance money.

The CHAIRMAN.—Perhaps Mr. Counsell will be able to tell us whether the \$75,000 the Hamilton Jockey Club got from the bookmakers will be given to charitable institutions?

Mr. GERMAN.—I do not know what they got, but I have told you this, I have told you what Fort Erie gets from the bookmakers. I know for I was one of the shareholders for fourteen years. But we rented that track for \$10,000 a year and it cost every dollar of that to pay the upkeep of the track and to pay the interest on about \$40,000 which we owed on the buildings and the premises. You can calculate the interest we had to pay and you will know where the balance of it went. Now, coming down to the benefits, so far as the County of Welland is concerned. That race track brings into that County every year over \$30,000 of outside money that the farmers get, the butchers get, the blacksmiths and the grocers, and I could get every minister, every clergyman, and every priest in and about that section of the country to sign a petition that the Fort Erie race track should not be closed up.

Mr. RANEY.—I wish you would, I would like to see it.

Mr. GERMAN.—If it will be conducive to the interests of my learned friend and will induce him to withdraw his Bill, I will get it, but if it is not necessary to go and get it, if he is still intending to fight his application for this Bill, I can get a petition signed by practically everybody who lives in and about the village of Fort Erie who will say that they do not want to see that race track closed up.

Mr. BLAIN.—Would the passage of this Bill close it?

Mr. GERMAN.—Yes, it would stop betting, if you absolutely stop betting on the race track you close the track.

Mr. BLAIN.—If you stop betting by bookmakers only, will that close it?

Mr. GERMAN.—You would not have any betting if it were not for the bookmaker, unless you had it surreptitiously by violating the law, you might, and you would probably have all the evil if it were done surreptitiously that you are having now, if there is any evil.

Mr. BLAIN.—I understand that this Bill does not interfere with private betting at all.

Mr. GERMAN.—No, I suppose not. I want to say further: we have about 500 horses at each meeting at Fort Erie, with all the men connected therewith; there would be a man to each horse at any rate, and probably more. You can just about imagine how much money that brings to keep those horses and men during that length of time. All that money goes to the farmers for hay and oats, to the butcher for meat, and to the blacksmiths and to the grocers; it is all spent there. Further, it

APPENDIX No. 6

costs between two and three hundred dollars a day for services on the track during the race meeting. That is all paid out to our Canadian citizens, because we see to it that there are no employees on that track who come from Buffalo or anywhere else in the United States. All that money goes to our own people; and so long as there is no injury to the moral sentiment of the people of the locality, and all that money is expended, I say, and am perfectly willing to have it published as representing the county of Welland, that the public sentiment in that locality, is that the Fort Erie race track should exist and go on. Not for the same length of time. I am free to admit that a thirty-days' race meeting is too long. I think that two weeks in the spring and a fall meeting of two weeks is quite long enough. Have a Canadian association, composed of the gentlemen who now compose it, to make and regulate the rules that govern these different tracks, and you have decided the problem. Now, I have heard something said in reference to young men losing money, people going bankrupt. I will venture to say this—and I have had considerable experience in defending men in my modest legal way who have been accused of crime—99 out of every 100 of them, instead of admitting that they are thieves from the cradle to the grave, will try to show some excuse, will put it on something else. If they are brought up, if they are living in the neighbourhood of a race track, they will say: 'Oh, I was led astray because I had a bet on the race track,' and in nine cases out of ten they never made a bet on the race track in their lives.

By the Chairman:

Q. Why would they lie about it, Mr. German?—A. The criminal is a born liar. They won't tell the truth, they won't even tell the truth to the man who is trying to defend them and to keep them out of the penitentiary.

Q. Well, why do they all agree?—A. They do not all agree on that statement, but they agree on this: that they lie. If they do not lie by saying they bet on a race track, they lie by saying they were were led astray by women or they were led astray in some other way except the one solid fact that they are thieves; it is inherent in them and they cannot get away from it. I heard a man stating here yesterday, I believe he was a butcher or something of that sort, from the city of Toronto; and he said he went broke by reason of betting on a race track. I don't believe a word of it. No man who has not got sense enough not to go broke by reason of betting on the race track has got sense enough to manage a business and keep himself out of the bankruptcy court. It is absolute nonsense for any man to stand up and say as a rule that he has been bankrupt by reason of any betting he did on a race track. If there is only racing for twelve days he has not got time to go bankrupt; he does not go there every day. There is one growing evil, and that is the bookmaker—at least the handbook men—

Mr. RANEY.—You were right at first.

Mr. GERMAN.—I mean the handbook man, not the bookmaker on a race track. The continued evil of handbook betting as it is carried on in Toronto, as it is carried on in many other cities in Canada, is the growing evil in regard to betting. Now, gentlemen, I do not intend to occupy your time any further. I am perfectly willing to go on record that so far as the Fort Erie race track is concerned, it has been managed from the start up to the present time in the most high class way, and 99 out of a 100 of the people in that locality want to see that race rack continued.

By the Chairman:

Q. I see an item in the *Toronto Globe*, being a despatch from Detroit, dated February 14, which is headed as follows: 'Ruined by Gambling. Pitiful Story of a Mother and her Son. Mrs. Crompton, of Flint, Michigan, Blames Windsor Race Track for Bringing Herself and Son into Court on Charges of Larceny and Fraud.' Do you know anything about the Windsor race track?—A. I do.

Q. Is it as respectable as the Fort Erie race track?—A. It is absolutely as respectable as the Fort Erie race track because I know the gentlemen who run it. Those

gentlemen who operate the Windsor race track now, operated the Fort Erie race track for ten years, that is Messrs. Parmer and Hendrie. That story in the first place I do not believe. It is easy for a person who gets into difficulty and is sued and becomes bankrupt to say 'I lost that money in betting on the race track,' and probably they never were near a race track..

Q. You say you do not believe this woman's story? Do you know anything about this particular case at all?—A. No, I do not know anything about it at all.

Q. Do you know the woman?—A. No.

Q. Why do you say you do not believe her story if you do not know her and do not know anything about this particular instance?—A. For the very reason, that I do not believe a woman and her son would go on a race track and lose that much money, not having the money, as she admits that she did not have. I do not believe it at all. I do not believe it from the fact that I have seen so much of that thing; it is not true. There are very few people who lose sufficient money on the race track to bankrupt themselves, very few indeed. This woman and her son may have done so.

Q. The story may or may not be true, but you really know nothing as to whether it is or not?—A. I do not, but I do not believe it.

By Mr. Raney:

Q. Would you permit me to ask you some questions?—A. I certainly will.

Q. Mr. German, would you mind telling me what your interest is in the Fort Erie race track?—A. Not a penny's worth.

Q. Did you ever have any interest in it?—A. I did.

Q. When?—A. From the time it was built until five years ago.

Q. What was the interest?—A. A shareholder in the Fort Erie Jockey Club.

Q. How much?—A. How do you mean 'how much'?

Q. In dollars?—A. In dollars?

Q. Yes.—A. Well, I don't think it was anything in dollars.

Q. Well, you were a shareholder?—A. Yes.

Q. Owning how many shares?—A. Well, I really do not remember now.

Q. How much in shares, \$5,000, \$20,000, what was it?—A. I am not sure. I never had any money in it at all. We borrowed the money and I do not know how much stock I had. We borrowed the money from the Columbia Bank in Buffalo and endorsed notes for the money.

Q. Nobody put up any money?—A. Yes, the bank put up the money, we endorsed the notes.

Q. None of the shareholders put up any money?—A. I do not think so.

Q. Who were the shareholders, how many were there?—A. Dr. Tremaine, of Buffalo; Mr. Oveat, of Buffalo; John Hood, of Hamilton; myself and two or three others whose names I have forgotten.

Q. Did any of these gentlemen put up any money of their own?—A. Oh, yes, we all put up money. I put up money.

Q. I thought you said you did not put up any money?—A. What do you mean?

Q. Did you actually put up money besides what money you borrowed?—A. I paid out myself about \$5,000.

Q. You paid out \$5,000 in cash?—A. Yes, in cash.

Q. On account of your stock?—A. On account of building the property.

Q. Did you pay money for your stock?—A. No.

Q. You got your stock for nothing?—A. No, I did not get it for nothing.

Q. How much stock did you hold?—A. Really I do not remember, the stock was divided up among six or seven of us.

Q. Was this the fact that you repaid the bank out of the profits of the track?

Mr. MONK.—What is the use of this examination, Mr. Raney? Is it to test the credibility of the witness?

Mr. RANEY.—No, I want to ascertain the business of the track.

APPENDIX No. 6

A. I will tell you what we did, now, if you want to know. We ran the track for two years and could not make any money, so we leased it to Parmer & Hendrie for \$10,000 a year and that paid the running expenses, that is the upkeep of the track and part of the interest on the money, we were going behind.

Q. Then the bank was repaid when you sold the track, is that it?—A. The bank was repaid before we sold the track.

Q. You repaid the bank out of the profits?—A. Yes.

Q. And then you were free to sell the track?—A. Yes.

Q. How much did you get for it?—A. \$80,000.

Q. And how much did you get out of it?—A. How much did I get?

Q. Yes.—A. \$45,000.

Q. That was for your interest?—A. Yes.

Q. How much money did you put in it before you took out \$45,000?—A. Well, I think in actual cash between \$5,000 and \$6,000.

Q. That was your investment?—A. Yes.

Q. On which you reaped \$40,000?—A. Yes.

Q. You have told us that you are representing here the County of Welland and speaking for the County of Welland. Do I understand you to say that the County of Welland, as a county, is against this Bill?—A. Do I say that the County of Welland, as a county, is against this Bill?

Q. Yes.—A. They are against it if it will close up the Fort Erie race track.

Q. I will put the question to you this way, is the County of Welland against prohibiting bookmaking on the race track?—A. That is a pretty hard question. I cannot answer that; I do not know what the people of Welland would say as to prohibiting bookmaking.

Q. Then let me put it this way: If the effect of this Bill would be to close the Fort Erie race track, do you say then that the County of Welland is against this Bill?—A. If you will allow me to answer it this way, I will say that the electors of the County of Welland are prepared to stand by this proposition: that the Fort Erie race track should have a twelve days' meet in the spring and a twelve days' meet in the fall, and to allow the betting privileges to stand exactly as they are at present.

Q. Then the County of Welland is in favour of a law which will permit the Fort Erie race track to continue to levy toll upon the bookmakers for the upkeep of the track?—A. They do not levy toll upon the bookmakers for the upkeep of the track.

Q. Well, I will say for the continuation of the races there.—A. Talking about the toll from the bookmakers I do not think the toll from the bookmakers cuts any figure; the money they get from the bookmakers cuts no figure at all, it is a question of allowing the bookmakers to be there.

Q. Then why do you take toll from the bookmakers?—A. That is a question of finance; those fellows come here and they are willing to pay.

Q. We will come to that later on; for the present what I am trying to get at is this, I want to find what the attitude of the County of Welland is. As you understand the sentiment of that county it is against legislation which will take away the right to make books on the Fort Erie race track, if that legislation would have the effect of closing the track?—A. Yes.

Q. That is our interpretation of the sentiment of that county?—A. Yes, subject to the reduction in the number of days' racing.

Q. Did I understand you to say that every clergyman and priest in that county would sign a petition against this Bill?—A. No, I did not say in the county, I was referring to that immediate vicinity around Fort Erie.

Q. Do I understand you to say that every clergyman in the vicinity of Fort Erie would sign a petition against the enactment as law of this Bill?—A. I believe they would.

Q. Have you spoken to any of them?—A. Some of them.

1-2 GEORGE V., A. 1911

Q. Can you give me the names of any you have spoken to; if they are gentlemen of that kind I do not suppose they would mind their names being used?—A. If they are willing to allow their names to be used I will be very glad to give them but I do not propose to do it now.

Q. You decline to give the names. Of course you know the gentlemen who run this track, the directors and the shareholders, all of them, I suppose?—A. No, I do not know them all personally.

Q. You know J. H. Madigan?—A. I know him very well.

Q. And Condon, you know him?—A. I do not know him.

Q. Do you know Mr. Taylor?—A. No, the only two men I know are Madigan and Stewart; Stewart of course is dead.

Q. Do you know Mr. Cella?—A. No.

Q. Then the only man you know is Mr. Madigan?—A. He is the only live man I know.

Q. Mr. Madigan, I believe, lives in Houston, Texas, and Buffalo?—A. Well, he is almost really in Buffalo, but he goes to Texas, I believe, during the winter.

Q. And do you know what other business he has besides race tracks?—A. I do not know anything about his business at all.

Q. How long have you known him?—A. I have known him about fifteen years.

Q. Can you tell me this, whether there is a telegraph wire on Fort Erie race track for sending telegraphic information during the progress of the meeting?—A. I think so, yes.

Q. Then you know it is the practice to telegraph information from the Fort Erie track, I mean bookmaking information, as the races proceed?—A. I think they send the information from the track to the newspapers.

Q. But apart from the newspapers, tell me this, is that information sold by the Fort Erie Association?—A. I really do not know, it never was sold during my time.

Q. We have heard in this committee that it is sold at the Woodbine track to the Interstate News Company?—A. I know the Woodbine is an iniquitous place.

Q. We will concede that; we have been told that it is sold to the Interstate News Company?—A. I dare say.

Q. By the Woodbine track people?—A. I daresay, and very likely it is sold from Fort Erie.

Q. You know what the Interstate News Company is?—A. No, I do not.

Q. Don't you?—A. I know there is such an institution, but I don't know what they are.

Q. My information is that the poolroom service of the United States is handled by an information bureau known as the Interstate News Company, does that agree with your information?—A. I do not know anything about it.

Q. You know there is such a company?—A. I do not.

Q. But you have heard of it?—A. I have heard of which?

Q. The Interstate News Company?—A. I do not think I have.

Q. Have you a company which handles the service of furnishing advance information for the poolrooms?—A. No.

Q. Do you know that this advance information is sent from the Fort Erie track by telegraph?—A. I do not.

Q. You understand that to be so?—A. I cannot say I understand it to be so, because I do not know anything about it.

Q. Do you know that Mr. Madigan is one of the owners of the Interstate News Company?—A. No.

Q. Do you deny that?—A. Do I deny what?

Q. That he is, or do you justify that?—A. I do not know anything about it.

Q. You are not prepared to deny that?—A. I cannot deny what I do not know

Q. You never heard that?—A. Never did.

APPENDIX No. 6

Q. Did you ever hear of the Texas Rangers, do you know what they are?—A. I have heard of Texas Jack. No I have not.

Q. Well my information is that the Texas Rangers are an aggregation of game cocks, the most celebrated in America, and often times when he is not running the Fort Erie track, Mr. Madigan tours the country with the Texas Rangers; did you ever hear that?—A. I know Madigan has a lot of good game cocks.

Q. Did you ever hear them called the Texas Rangers?—A. No I never did.

Q. Do you know that he tours with them?—A. No.

Q. Do you not know, or have you not heard, that he was touring in Northern New York these last few weeks with these game cocks of his?—A. No, I do not.

Q. You did not hear that?—A. I did not hear that and do not know anything about it.

Q. You did not hear that was the cause of his being in the north just recently?—A. I know it was not the occasion of his being in the north. That I can tell you.

Q. Do you know that he was travelling about with these game cocks within the last six weeks or past two months?—A. I can most positively say that he was not, because I saw Mr. Madigan in Buffalo and he was a sick man.

Q. You know, however, that has been part of his business?—A. Which?

Q. Running cocking mains?—A. No.

Q. No part of his business?—A. No.

Q. Does he not derive any revenue from that?—A. I do not know. He has game cocks and it may not be part of his business. He has them as an amusement and it is a very nice amusement too.

Q. Has he any business besides horse racing and game cock fighting?—A. Who Madigan?

Q. Yes, that you know of?—A. My dear sir I don't know what his business is I am sure.

Q. How many years did you say you had known him?—A. About fifteen.

Q. Have you known him to have any other business during that time other than horse racing and game-cock fighting?—A. I have not paid any attention to this business at all. I know nothing about his business more than that he and his associates bought the Fort Erie race track and they have been running it properly ever since.

Q. You never heard of anything he does beyond horse racing and game-cock fighting?—A. I never inquired.

Q. Then you do not know anything about his associates? Do you know that Cella and Adler and another man—who I think took the place of Stewart, but I am subject to correction—ran race tracks outside St. Louis before they acquired the Fort Erie track?—A. No.

Q. You never heard that they did?—A. No, I think Mr. Cella ran a race track in Detroit, did he not at one time?

Q. Perhaps he did. You never heard that Cella and the others had a race track outside of St. Louis?—A. No.

Q. And that he was put out of business by the Folk law?—A. No.

Q. You know these men are interested in the Fort Erie track—Cella, Adler and Condon?—A. I don't know about Adler. Mr. Stewart was the man I dealt with in connection with the sale of the Fort Erie race track. I knew that he, and Madigan and Condon and Cella and Judge somebody—his name I have forgotten now, Bowden or some such name—were the men who were interested in it, and it was this Judge somebody who made the arrangements with me, as I was controlling the institution.

Q. By the way, just while you are speaking of judges, who are the judges of the Fort Erie track?—A. Who are the judges?

Q. Yes?—A. How do you mean the judges.

Q. The judges on the track.—A. The racing judges?

Q. Yes?—A. I do not know.

Q. Do you not know?—A. No, I do not know.

Q. Who were the judges last year?—A. Well, I really was not on the track last year. I may tell you frankly I was not on the Fort Erie race track last year at all.

Q. Who were the judges in your time?—A. In my time? That was fourteen years ago. There were only two years during which the company ran it and then the track was leased to Parmer and Hendrie and so far as these were concerned I paid no attention to them, I had nothing to do with them.

Q. Then do you know that Condon has a large interest in race tracks in different places?—A. I do not.

Q. You never heard of that?—A. Oh, yes, I heard that Condon was interested in race tracks.

Q. What other tracks?—A. Well he was interested, I believe, at one time in a race track at Chicago, if I am not mistaken.

Q. He is a professional race track man?—A. Not that I know of.

Q. Do you know any other business he is interested in besides horse racing?—A. My dear sir, I don't know anything about it.

Q. Did you ever hear that he was one of the owners of the large race track Jaurez, in Mexico?—A. No.

Q. Do you know any of the directors or shareholders of this company who have any other business besides horse racing?—A. I don't know what their business is at all.

Q. And I understood you to say that Hendrie and Parmer were the lessees of the Fort Erie track until the sale to Madigan and his associates two or three years ago?—A. They were the lessees for two years after the sale to them. Their lease had two years, I think, to run after we sold to those people.

Q. They were lessees for ten years altogether?—A. Yes, ten years altogether.

Q. Do you know any business that Parmer has besides horse racing?—A. Yes.

Q. You know Parmer very well?—A. Yes.

Q. How long have you known him?—A. I have known him for fourteen years.

Q. What other business has he besides horse racing?—A. Well all I can tell you is by reputation. He has a stock farm in Kentucky.

Q. You do not know that as a fact?—A. I do not.

Q. You know what other race course he is connected with, or has been connected with?—A. Windsor.

Q. Any other besides that?—A. Not that I know of.

Q. Where are the books of the Fort Erie association?—A. I do not know.

Q. Did it not occur to you that perhaps it would be well to find out that fact, Mr. German?—A. It did not. I have nothing to do with the racing association or the Fort Erie race track and I came here not to defend them or anyone else but to show you gentlemen that the Fort Erie race track is run in a respectable manner.

Q. Do you know anything about the amount of the Fort Erie race track receipts from bookmakers?—A. I can gauge it pretty well.

Q. Then tell me what the receipts were for the thirty days meet in 1909 from bookmakers?—A. Well, my judgment is from what I know that they would get \$150 a day. Now this is a subject altogether to what their books show.

Q. Quite so.—A. My own opinion is that they got \$150 a day from each bookmaker and they would average probably fifteen, perhaps not more than ten.

The CHAIRMAN.—That would be \$67,500.

By Mr. Raney:

Q. That would be your estimate of the amount received by them from the bookmakers?—A. I should think that would be a fair amount.

Q. Could you give any estimate of the gate receipts?

Mr. COUNSELL.—Would not the receipts from bookmakers be \$45,000?

The CHAIRMAN.—Fifteen bookmakers at \$150 a day would amount to \$67,500.

The WITNESS.—It may be more than \$100 a day from each bookmaker.

APPENDIX No. 6

By Mr. Raney:

Q. I think the amount is \$150.—A. I know they paid us \$100, and I know they paid Hendrie and Parmer \$100 a day each, but I understood that they paid more than that since.

Q. Your understanding agrees with my instructions.—A. I do not know as to that.

Q. Do you know whether Madigan gets a revenue from the advance information telegraphed to the pool rooms in addition?—A. No.

Q. You do not know anything about that?—A. No.

Q. I find it stated in the evidence before the Senate Committee in Washington in December last that telegraphic information is supplied from Fort Erie and Windsor in the same manner as it is from Jaurez in Mexico; to all the pool rooms in United States. I suppose you would not be prepared to deny that?—A. I do not know anything about it.

Q. You could not estimate the gate receipts?—A. I think it would be about—no I could not.

Q. How would they correspond to the gate receipts at Toronto?—A. They would not be one tenth of Toronto I should think.

Q. Will you tell me why this race course was started at Fort Erie?—A. Well it was started with the view of making it what is called a foreign track. I knew nothing of that until after the property was built—that is to make it practically a pool room track. When it was started Dr. Tremaine and myself—and Dr. Tremaine is one of the highest class gentlemen that the United States or any other country ever produced, he was a thorough horseman who went into it because he loved horses, and he put what little money he had into it; it killed him really in the end, he caught cold there. We both put our foot down on it and said we would not allow a foreign book on the Fort Erie race track; we could have made an enormous amount of money if we had.

Q. What do you mean by a foreign book?—A. Making it practically a pool room as you can do by having on the track telegraphic information from all the tracks in the United States, and the Buffalo people would come over there and they could make their bets there the same as they could in a pool room.

Q. That being so, of course you declined to have information from your track sent for use in the United States?—A. Oh, no, understand me—the idea of the original promoters was to make that a track which would be a foreign book track, that the information from the tracks in the United States would come to the Fort Erie track so that the people there could bet on foreign races as well as they could bet on the races actually in progress, but Dr. Tremaine and myself simply put our feet down on that and said, 'We will not allow that,' and that ended it.

Q. You do not understand I think what I said; that being your view of the impropriety of pool room operations, as I understand, you in your time you never lent yourself to the supply of race-track information by telegraph from your track for use in the United States pool rooms?—A. Not that I am aware of; the telegraph information was sent abroad, every person could get it.

Q. That is being done and has been done both on the Woodbine and Hamilton tracks for years past. What opinion do you express on that point?—A. I will tell you this, there is a telegraph office on every race track and the result of each race is wired to the newspapers.

Q. And to the pool room?—A. It goes to the newspapers and I suppose it goes to everybody else, but in the telegraph companies that control that, not the race tracks.

Q. This thing was before the committee at Washington and it was shown that the pool-room people were paying \$10 a day for each pool-room in the country to the race track owners for getting this information, the Western Union Telegraph Company had a monopoly of it but the officers of the company some years ago got into trouble about

1-2 GEORGE V., A. 1911

it and since then they have leased it to the Interstate News Company from which the pool rooms get their information?—A. I heard about the Western Union people getting into trouble about supplying information to the pool rooms but the race tracks have nothing to do with that whatever.

Q. You know that the Western Union Company pay the race-track people for the monopoly?—A. I do not.

Q. You know it now?—A. I do not.

Q. Then it is in evidence before this Committee that the Woodbine race track has been in receipt for years past of a large sum of money from that source.

Mr. McCOLL.—From what source?

By Mr. Raney:

Q. For the sale of advance information to the Interstate News Company which is distributed from time to time to the pool rooms and the Hamilton track association by its counsel here who admitted the receipt of a large revenue from that source.

Mr. COUNSELL.—That is absolutely false.

By Mr. Raney:

Q. It is on record here.—A. I never knew of that, the information that went out from the Fort Erie track was over and above board to everybody.

Q. You said that the Fort Erie race track was operated as morally and legally respectable as any track in the world, as the Woodbine?—A. Yes.

Q. Would you make that statement absolute and not a comparative statement?—A. I make it absolute.

Q. Would you say that the Fort Erie track is operated morally?—A. I will say it is operated as morally as any other track.

Q. I thought that was what you meant.—A. And as morally as the usual class of business.

Q. Do you approve of bookmaking on the race track?—A. I do not know whether I approve or disapprove of it. I do not care anything about it, I do not think it hurts anybody unless he is an idiot.

Q. Suppose it hurts an idiot?—A. Then he ought to be in the asylum anyway if he is an idiot.

Q. Has it hurt anybody? Do you know Mr. Smith?—A. Yes, it has hurt him.

Q. Do you know anybody besides him that it has hurt?—A. Not that I know of, I am doubtful.

Q. You are personally acquainted with a large number of the bookmakers? They are mostly Americans, are they not, nearly all of them?—A. Yes, mostly all of them, there are a few Canadian bookmakers, I do not remember their names but I know them by sight.

Q. And the track at Fort Erie you say brings \$30,000 to the people of the county of Welland?—A. Yes, more than that.

Q. And do you think the people of the County of Welland would be prepared to license a vice, if it be a vice, for \$30,000?—A. No, sir.

Q. You think not? I thought not too.—A. But I wish to modify this by saying—license a vice? What vice?

Q. Was it not a vice?—A. The Fort Erie race track?

Q. Of course the Fort Erie race track has not morals?—A. Yes it has, high morals.

Q. Is bookmaking a vice?—A. Bookmaking a vice?

Q. In your view?—A. I suppose any kind of betting is a vice, but that not any more than any other kind.

Q. And no young man ever lost his money on the Fort Erie race track, is that what you said?—A. No.

Q. I thought not. But at all events nobody ever went broke there, is that it?—A. They may have gone broke.

APPENDIX No. 6

Q. Or bet anybody else's money?—A. What I said was that no person has ever stated that they lost their money and became a criminal by reason of betting on the Fort Erie race track.

Q. That never happened, I suppose?—A. No, I believe I can say positively it has never happened.

Q. Is the temptation there less than it is at the Woodbine?—A. No, it is just the same, and they do not become criminals by reason of betting on the race track at any place.

Q. Is it true, as a witness said yesterday, that nobody would go to the Hamilton track unless they could gamble, is that true of Fort Erie?—A. That is not true of Fort Erie nor is it true of Hamilton.

Q. They would go there for their health, I suppose?—A. They go to see splendid sport and a high class lot of horses.

Q. This race track has been instituted and has since been carried on at this particular place so as to avoid the laws of the State of New York?—A. That is not true.

Q. Why was it not started in New York State, it is patronized chiefly by Buffalo people?—A. Why wasn't it started in New York State?

Q. Yes.—A. Because we wanted to start it at Fort Erie.

Q. For the benefit of the people of Canada?—A. No, for the benefit of ourselves.

Q. The patrons are nearly all Buffalo people?—A. Well, the majority of them come from Buffalo.

Q. And you know that such a track, conducted as this track is now, would not be permitted in New York State under the laws of that State?—A. I know they are carried on there.

Q. The same as the Fort Erie track?—A. Why certainly, over in New York State.

Q. With bookmaking, as it is carried on there?—A. The last time I was at a New York track was two years ago and they had a large poster on the wall saying, "No betting allowed on this track," and there was a bookmaker doing business within three feet of it.

Q. Then the law has not done much harm there from your point of view?

By the Chairman:

Q. The Hughes law had not passed at that time?—A. Oh yes, it had passed when I was on the New York track last.

Q. The Hughes law had not been passed at that time?—A. Oh yes, it was passed and I was on the New York track last—

Q. It was not enforced two years ago?—A. Well I will say a year ago. It is not in force now.

By Mr. Raney:

Q. We have heard from other witnesses that the race tracks have been put out of business by the Hughes law?—A. My dear sir, they are running all the time.

Q. So they have not been put out of business?—A. No, certainly they have not been put out of business.

Q. They are running just as successfully as before?—A. No not as successfully I believe, but they are running at Sheepshead Bay.

Q. Your Fort Erie track would not have been as successful as it was last year if it had been on the other side of the river?—A. I don't know what it would have been on the other side of the river.

By Mr. McCarthy:

Q. Mr. German, I want to make clear what Mr. Raney seems to me to have left

1-2 GEORGE V., A. 1911

perhaps a loose end of, as to Fort Erie ever having been run as a poolroom track?—A. It never was.

Q. Never was from the beginning down to the present time?—A. Never from the beginning until this present minute.

Mr. RANEY.—I never suggested any such thing in the sense in which he defined a poolroom.

Witness discharged.

Mr. ALEXANDER SMITH.—I appear before the committee in order to read some letters I have received from the West. It is difficult to get witnesses down from there and therefore I desire to have these letters go on the record.

The CHAIRMAN.—These are letters from horsemen in the West expressing their views.

Mr. SMITH.—I will give the names of the writers and hand the letters in.

The CHAIRMAN.—Is there any objection to the filing of these letters.

Mr. MOSS.—I suppose it is being done pursuant to the direction of the committee.

Mr. SMITH.—Yes, with the consent of the committee.

Mr. MOSS.—I do not think it is a very regular proceeding but it is for the committee to decide.

Mr. SMITH.—The first letter is from Mr. George A. Carruthers, secretary, Canadian National Bureau of Breeding for province of Manitoba. The second letter is from Mr. Marshall, police magistrate of Portage la Prairie. The third is from Colonel Steele, of Fort Osborne barracks, Winnipeg. Colonel Steele was for some years in command of the Northwest Mounted Police and also commanded the Strathcona Horse during the South African campaign. The communications include copy of a resolution passed unanimously by the directors of the Alberta Provincial Horse Breeders' Association, signed by the chairman, William Moodie, and the secretary and managing director, E. L. Richardson. There is also a resolution from the directors of the Alberta Provincial Exhibition, signed by the president and secretary, and likewise letters from Robinson & Company, who conduct a departmental store at Winnipeg, the Merrick-Anderson Company, wholesale dealers, and Wood Vallance, Ltd.

Letters filed by Mr. Smith, as follows:—

WINNIPEG, January 7, 1910.

Mr. HUGH SUTHERLAND,

Chairman, Sub-Committee Manitoba Jockey Club.

DEAR SIR,—As chairman of the above committee I wish to draw your attention to the great hardships and injustice that is going to bring to the Canadian National Bureau of Breeding, if this Bill, No. 6, of Mr. H. H. Miller's, goes into effect in its present state. I am inclosing you booklet No. 2, also *Montreal Gazette* of December 10th, giving account of your annual meeting of this association.

The object of the Canadian National Bureau of Breeding is to improve the breed of horses throughout Canada. This association was formed in Montreal some two years ago by men of the very highest standing. At the present time we have applications from over twelve hundred farmers throughout Canada for these stallions, and we have already placed twenty-five in eastern Canada and one in Manitoba. At the present time we are arranging for nineteen more stallions, and it is the intention to place two of these in New Brunswick at the request of the Department of Agriculture; five will be sent to Saskatchewan; four to Manitoba, and three to Ontario; the others will be distributed between Alberta and British Columbia.

I am bringing these facts before your notice to impress on you that if the Miller Bill goes into effect in its present state it will surely kill racing in Canada, as nowhere in the world can they race without betting. Therefore, if racing

APPENDIX No. 6

is killed in Canada, this Bill will be the end of the Canadian National Bureau of Breeding as it is from the race-track, and the race-track owners that we get these stallions 'free of cost' to distribute throughout the country.

This is going to be a great hardship to the men that have devoted their time to this going concern. There is no money in it for the association or anybody connected with it. We place these stallions on the farms of the different farmers free of charge, and the farmers can only charge a small fee (say \$5 or \$10) for the services of these horses, and the farmer keeps these service fees him-self in return for the keep of the horse. The farmer is supplied with a set of books, and he has got to keep a record of all mares he breeds the stallion to, so that the association will have some record as to the results of their policy.

Trusting that you will do everything in your power so as to regulate this Bill of Miller's so that racing will be made possible in Canada: if not, this Bill will be the death knell of the Canadian National Bureau of Breeding.

Yours truly,

(Sgd.) GEO. A. CARRUTHERS,

Secretary,

Canadian National Bureau of Breeding, for Province of Manitoba.

PORTAGE LA PRAIRIE, Feb. 10, 1910.

DEAR SIR,—I have been asked to send you my opinion relative to horse racing and betting.

We have for many years had annual race meetings in this city, which are attended by the best people, are of great interest to the public, and are certainly considered by the inhabitants to be of benefit to the city, and also to have a beneficial effect upon the breeding of both standard and thoroughbred horses.

I have been police magistrate of the city of Portage la Prairie for many years, and do not remember of any case of crime, as a result of gambling or betting on horses, coming before me in this court.

I am of opinion that a certain amount of betting is necessary, and that what has been done on this track has not had any apparent ill effect upon the public morals.

If horse racing were prohibited, it would be considered a distinct loss and detriment to this city.

I am, dear sir,

Yours truly,

(Sgd.) G. A. J. A. MARSHALL, P.M.

ALEXANDER SMITH, Esq.,

48 Sparks St., Ottawa.

FORT OSBORNE BARRACKS,

WINNIPEG, February 11, 1910.

MY DEAR DR. INGLES,—With reference to our conversation, I beg to say, that in my opinion, anything that would abolish the race track, horse racing and betting would strike a severe blow at one of the most important industries of the West.

In the breeding and raising of cavalry remounts, hunters for export, and domestic saddle horses, an industry for which the prairies of the west are well fitted, some of the very finest and hardest saddle horses being raised without seeing the inside of a stable.

The only horse with which the native can be crossed successfully, is the thoroughbred, all attempts with other breeds have been failures, producing the most startling results—big heads, small bodies, and vice versa.

1-2 GEORGE V., A. 1911

The thoroughbred is the outcome of racing, racing has produced him, and with him has come betting. The latter can be kept well within bounds if proper legislation is passed, but it cannot be done away with as long as racing is permitted, and without it the quality of the breed would not be known, nor would it be kept up.

The Canadian horse of the west, a cross between the thoroughbred and the native, is the most delightful to ride that any one could desire, his endurance surpasses anything that I have ever yet seen.

The Western associations are composed of gentlemen who indulge in the sport of racing for the good of the country and are doing a great deal towards the encouragement of horse-breeding amongst the farmers, who, if this goes on, will eventually have a first-class market for their stock.

At the present time we are running short of saddle horses, for the reason that there has, in the past, not been sufficient encouragement to induce the farmer to raise horses suitable for the mounted troops and Mounted Police.

I am,

Yours sincerely,

(Sgd.) S. B. STEELE, *Colonel.*

Copy of Resolution passed unanimously by the directors of the Alberta Provincial Horse Breeders' Association at Calgary, February 11, 1910.

That this association learns with regret of the proposed legislation with reference to betting as contemplated in the 'Miller' Bill now before the House of Commons.

That in our opinion the legislation in question will be a serious detriment to the breeding of thoroughbreds, and consequently to all breeds of light horses including particularly remounts, army and saddle horses which this province is so admirably adapted to produce.

That racing is necessary to the development of the thoroughbred and standard-bred, and that the discontinuation of betting would make practically impossible successful tests of speed, endurance and constitution which are all necessary to the production of good animals.

That we could strongly recommend the adoption of the Parti-mutuel system of betting at race meets or exhibitions as we believe this system would eliminate objectionable features of betting and amply protect the public from unscrupulous bookmakers and touts.

(Sgd.) WILLIAM MOODIE,

Chairman.

(Sgd.) E. L. RICHARDSON,

Secretary and Managing Director.

That this meeting of the directors of the Alberta Provincial Exhibition held at Calgary, February 10, 1910, resolve:

That in our opinion evil effects of betting are seen only at race meets which are allowed to run continuously for several weeks, and and that no objection could reasonably be taken at exhibitions as conducted in Alberta.

That racing is necessary to the development of the thoroughbred.

That the results of racing enables stockmen to get good horses for crossing on native stock.

That racing cannot be successfully carried on without betting.

That Western Canada will continue to be the breeding ground for domestic saddle horses and army remounts, and the light horse interests should not be discouraged by legislation which would prevent betting.

APPENDIX No. 6

That exhibition associations should be allowed to make use of the Pari-mutuel system of betting.

President.

(Sgd.) E. L. RICHARDSON,
Manager.

WINNIPEG, MANITOBA, February 11, 1910.

ALEXANDER HAGGART, Esq., K.C., M.P.,
House of Commons, Ottawa, Ont.

DEAR SIR,—We understand that the Bill known as the Miller Bill, comes up in the near future before the Special Committee of Parliament, and we think it would be in the interests of the city if you would attend before the committee and assure them that the public sentiment is opposed to the legislation which will have the effect of putting an end to the racing as it is now conducted in Winnipeg.

The race meetings of the exhibition have been the means of bringing a large number of outsiders to Winnipeg and have been a source of considerable revenue to the merchants, and as conducted have not been, as far as we can see, productive of any evils to the community but have been the means of healthy recreation. The citizens who are members of the Manitoba Jockey Club are, as you know men of high standing, and I am sure you will agree with us that racing, as long as it is controlled by them, will be conducted on proper lines.

Yours truly,

(Sgd.) ROBINSON & COMPANY,
JAMES REID,
Secretary.

WINNIPEG, February 11, 1910.

ALEXANDER HAGGART, Esq., M.P.,
Ottawa.

DEAR SIR,—We have noticed with interest the introduction before the House of Commons, by Mr. Miller, of a Bill which is designed to abolish betting on the race track.

We believe that if this Bill becomes law it will have the effect of putting an end to the race meetings held at the industrial exhibition here, which have proved a source of considerable revenue to the merchants in Winnipeg and have furnished innocent entertainment to the citizens.

We do not believe that racing, as it has been conducted here, has been productive of any evil to the community.

We understand that this Bill is now before the Select Committee of Parliament, and we shall be obliged if you will present our views to the committee for us. Distance renders it impossible for us to attend personally.

We have learned upon inquiry that the board of the exhibition have refused, during the past year, two offers from outside parties for use of track for gambling purposes.

Thanking you in anticipation of your efforts in our behalf,

We beg to remain,

Yours truly,

(Signed) MERRICK-ANDERSON CO.,

Per F. A. ANDERSON,
President.

1-2 GEORGE V., A. 1911

WINNIPEG, February 12, 1910.

ALEXANDER HAGGART, Esq., M.P.,
Ottawa.

DEAR SIR,—We are informed that the Miller Bill, designed to entirely abolish betting in Canada in connection with horse racing and otherwise, is now up for consideration before a Select Committee of Parliament.

Apart from its effect elsewhere, we believe that such legislation, if enacted, would put an end to the race meeting held annually at the Industrial Exhibition here. This exhibition is a source of considerable revenue to the merchants of Winnipeg, as well as many other classes, and owing to the orderly and well-conducted manner in which it has always been carried on is nothing more than a means of innocent entertainment for the very large number of people who are interested in horses and horse racing.

The short duration of the meeting and small amount of betting done are effectual safeguards against any evil result arising through this privilege.

Looking at the matter from a western standpoint, and judging from our past experience in this country, we are convinced that the passing of the Miller Bill will be distinctly detrimental to Western Canada, where horse raising is an important and steadily growing industry.

Will you be good enough to present the foregoing views on the subject to the committee referred to, accepting our thanks in anticipation of such kind assistance.

Yours truly,

WOOD, VALLANCE, LIMITED,
(Signed) G. N. M.

The CHAIRMAN.—Now, the next witness, please.

Mr. MEREDITH.—My friend, Mr. Raney, wrote and asked me for a list of the shareholders of the Montreal Jockey Club. Now he says he does not want it.

Mr. RANEY.—I have seen it.

Mr. MEREDITH.—You have seen it? Well, I would like it to go before the committee.

Rev. J. G. SHEARER, D.D., called, sworn, and examined.

By Mr. Raney:

Q. Dr. Shearer, you are the Secretary of the Moral and Social Reform Council of Canada?—A. Yes.

Q. Who are the chief executive officers of that Council?—A. The honorary president is His Grace Archbishop Matheson of Ruperts Land, Winnipeg, the Primate of the Church of England in Canada.

Q. And the president?—A. The president is the Rev. Dr. Carman, General Superintendent of the Methodist Church in Canada.

Q. And you are the secretary?—A. Yes, and the vice-president is Mr. James Simpson, representing the Trades & Labour Congress of Canada. The treasurer is Mr. Henry Moyle.

Q. And there is an executive committee, I suppose I need not trouble you to read them?—A. Yes.

Mr. COUNSELL.—Let us have them all.

Q. What are the units of this Council?—A. The units of the Council are as follows:—Church of England in Canada, the Methodist Church in Canada, the Presbyterian Church in Canada, the Baptist Union of Canada, the Congregational Union of Canada, the Trades and Labour Congress of Canada, the Dominion Grange and Farmers' Association, the Salvation Army, and the Canadian Purity Education Association.

APPENDIX No. 6

Q. And I understand that it is one of the clauses of the constitution of the Council that the Council will not adopt the advocacy of any reform unless it has the unanimous support of all the units of the Council?—A. Yes.

Q. The Council must be unanimous as far as the units are concerned?—A. Yes.

Q. Then has the Council taken any action with regard to the matter before this committee?—A. Yes, do you wish to have the resolution?

Q. Yes, is it a long one? You need not read the recital.—A. Very well, I will read the resolution itself. It is moved by Dr. N. W. Hoyles, K.C., Principal of the Ontario Law School and seconded by Principal Scrimger, of Montreal, and after the recital it sets forth the opinion of the Council as follows: (Reads)

“Therefore, Resolved that the Council expresses its strong sense of disappointment on learning that the Government refused last session to accede to this request, and earnestly calls upon all who respects the Council's judgment to join in awakening public opinion in all parts of Canada, and bringing every legitimate influence to bear upon the members of Parliament and the Government to take immediate action which will effectively prevent all professional race-track betting, and the harm and ruin that result from it.”

Q. Then have you with you the resolutions passed by some of the units composing this Council?—A. Yes, do you wish them read?

Q. If they are not too lengthy.—A. I will read those that are not lengthy.

Q. You might read the resolution part of them?—A. The first one that is in my hand favouring action is an extract from the Minutes of Committee on Moral and Social Reform of the Church of England in Canada, as follows:

“Resolved, That this committee desire to express their conviction that all betting is demoralizing, and call upon the government at Ottawa to so amend the Criminal Code that all professional betting be declared a crime, whether at a race meet or at any other time or place.”

That is certified by Hon. Secy. Committee on Moral and Social Reform of the Church of England in Canada.

CHAS. L. INGLES (Ven. Archdeacon)

Q. What year was that?—A. The date is not on the copy that Archdeacon Ingles has supplied, but that committee was only appointed at the last meeting of the General Synod, which meets triennially, and the last meeting was a year ago last September.

Q. And the resolution must have been adopted since then?—A. Yes, within that time. Then the Synod of Toronto of the Church of England adopted resolutions in 1903, 1907 and 1908. Perhaps these are a little too long to read unless you desire to have them on the record.

Q. Well, they can, I suppose, be put in now without being read?—A. I think they might.

(Resolutions handed in as follows:)

Moved by Rev. G. L. Ingles, seconded by Rev. F. H. DuVernet, and

Resolved, whereas under the provision of section 204, sub-section 2, of the Criminal Code of Canada, betting, wagering and gambling are made lawful on any race course of an incorporated association during the actual progress of a race meeting and, whereas during certain periods of each year races are held in various parts of Canada with the following results:

1. That at all such places, while these races are in progress, the public are permitted by law to indulge in gambling of the very worst kind, thereby familiarizing our people with it, hardening the old and corrupting the young and inexperienced, teaching them those methods of gambling to such an extent that they seek to gratify their desires in other forms of gambling at other times and places;

1-2 GEORGE V., A. 1911

2. That the opening of gambling resorts is thus encouraged in our larger towns and cities to the great injury of the young manhood of our country;

And that therefore we the members of the Diocese of Toronto desire to place on record our strongest condemnation of this legalizing of gambling at any place of resort and would most respectfully urge upon the government of Canada the need of such alteration in the law as to utterly forbid and pronounce as unlawful any betting, wagering or gambling upon any race course in Canada, whether belonging to any incorporated association or private individuals, together with the publication of all betting intelligence in newspapers, and that a copy of this resolution be transmitted to the Minister of Justice and every synod of the Church of England in Canada, to the archbishops of the Roman Catholic Communion, and to every synod, conference or assembly of the other religious bodies, asking for their co-operation in urging this amendment we desire upon the government.

Session of 1907.

Moved by Rev. Canon Welch, seconded by Rev. Canon Ingles, and

Resolved, That this synod is of opinion that race-track gambling should be declared illegal, and urges upon the government of the Dominion the advisability of taking such steps as may be necessary to secure this end.

1908.

Extract from report of Committee on state of the Church.

Your Committee observes with the deepest concern the great increase of the habit of gambling in many ways in the community and especially deplores the serious prevalence of race track gambling at the Woodbine, and urges the synod to express in the most emphatic manner possible the conviction that existing legislation should be extended so as to make race-track gambling unquestionably illegal, and that the government of the Dominion should be urged to take such steps as may be necessary to secure this end.

Those resolutions are certified to by Archdeacon Ingles, hon. clerical secretary and Mr. W. H. Battin, hon. lay secretary.

Q. What is the next resolution?—A. The General Conference of the Methodist Church in Canada meets, as you know, quadrennially; its next meeting is during the calendar year. Between meetings of the General Conference the Board of Temperance and Moral Reform is authorized to speak for the General Conference. The Board of Temperance and Moral Reform took the following action as certified to by Dr. Chown, who is the secretary of that department. (Reads):

BOARD MEETING (ONTARIO GROUP), October 9, 1906.

The board has satisfaction in recognizing that the law of the land, so far as it has been interpreted by the courts, is decidedly adverse to bookmaking in respect to horse races, and trusts that the outcome of cases now before the courts may be favourable to morality.

Q. That was the Saunders case?—A. Yes. (Continues reading).

In any event we hold that it is imperatively the duty of the makers and administration of our laws to prohibit and prevent to the utmost of their power this and every other species of gambling working such mischief wherever they are practiced.

Certified correct,

(Sgd.) S. D. CHOWN.

And at the General Board meeting, October 24, the following resolution was passed:—

Race Track Gambling.—That it is the unanimous opinion of this Board that it is the duty of the Dominion Government at the earliest possible time to

APPENDIX No. 6

pass such legislation as will declare clearly that gambling on race tracks is illegal.

Certified correct,

(Sgd.) S. D. CHOWN.

Then at the General Board meeting, September 11, 1908:—

This Board expresses its profound disappointment that the Dominion Parliament has failed to enact legislation suppressing race track gambling. The moral sentiment of the people of this continent is finding expression in drastic legislation in almost every state of the adjoining Republic, and in consequence Canada is becoming the refuge of the bookmakers and gamblers of the continent to the shame of the people of this Dominion. We strongly urge our legislators to save us from this moral degradation and disgrace by enacting legislation at least as stringent as that of the State of New York.

From Report on Legislation.

Certified correct,

(Sgd.) S. D. CHOWN.

General meeting, September 11, 1908, also:—

In view of present conditions, and especially since the legislation of the State of New York, making gambling illegal, has practically driven out a large number of persons whose livelihood was obtained by such methods, and who have come to Canada to ply their nefarious trade, we deem the time opportune to demand urgently that the law of the Dominion should, at the earliest time, prohibit all gambling, especially that associated with the race tracks.

Certified correct,

(Sgd.) S. D. CHOWN.

I have also resolutions adopted by the various annual conferences, but I do not think it necessary they should be read unless you desire. I might simply submit them, they are from the annual conferences of Toronto, Bay of Quinté, Nova Scotia, and others. I think action has been taken by all the conferences of the Methodist Church; they meet of course annually, and I have the printed minutes as well.

Then the Presbyterian Church took action through its general assembly.

Q. That is the general assembly for the whole of Canada?—A. Yes, sir, that represents the whole of the Presbyterian Church in Canada; the assembly took action at its meet in June last in the City of Hamilton. It has taken action, of course, in other years as well. I think in this case I need not read the recital but it might be sufficient to read the substantive part of the resolution similar to the one already read. (Reads):

Therefore, resolved, that the assembly expresses its strong sense of disappointment and indignation on learning that the government has refused to accede to this request, though repeatedly and respectfully pressed, and insists that the government bear full responsibility for the injury thereby done to the good name and highest well-being of our fair Dominion, and earnestly calls upon all who respect the assembly's authority and judgment to join in awakening public opinion in all parts of Canada and bringing every legitimate influence to bear upon the members of Parliament and the government until action is taken to right this great and serious wrong.

By Mr. Monk:

Q. What were the considerations that led up to that resolution?—A. You mean the recital?

Q. Yes. A. The recital of the resolution, you would like to have that read?

Q. If you please. A. (Reads):

(4) That—

Whereas the courts have interpreted the clauses of the Criminal Code intended to prohibit professional bookmakers from negotiating bets, in such a way as to make this lawful on a race track if the bookmaker moves about, while unlawful if he remains in any building, booth or place, thus at once defeating the manifest intention of parliament and making the law ridiculous;

And whereas the State of New York, as well as most other American states, has recently put an end to all such professional gambling, leaving Canada almost alone on the northern half of the continent as legalizing this vice, and making the Dominion the dumping ground and her race tracks the chief rendezvous of gamblers and other criminals from all over the continent;

And whereas our boys and young men, in thousands, are, in consequence being publicly schooled in vice and crime, ruining their characters and destroying the happiness of countless hearts and homes;

And whereas this Board of Moral and Social Reform co-operating with the authorities of all other churches and sympathetic organizations, has for two years been pressing the Dominion government to ask parliament to amend the code making the original intention clear;

And whereas the request is in the judgment of the assembly extremely modest and reasonable:

Therefore, resolved that the assembly expresses its strong sense of disappointment and indignation on learning that the government has refused to accede to this request, though repeatedly and respectfully pressed, and insists that the government bear full responsibility for the injury thereby done to the good name and the highest well-being of our fair Dominion, and earnestly calls upon all who respect the assembly's authority and judgment to join in awakening public opinion in all parts of Canada and bringing legitimate influence to bear upon the members of parliament and the government until action is taken to right this great and serious wrong.

By Mr. McColl:

Q. The first part of that resolution is word for word the same as the heading of the petitions that have been presented to parliament?—A. I do not know that it is word for word.

Q. It is pretty nearly in substance the same?—A. It follows the general line but I do not think it does so verbatim.

By Mr. Raney:

Q. They are not all in the same form?—A. No, sir. Those I have read, for instance, from the Church of England and the Methodist Church are not the same as this.

Q. There are no two of them in the same form?—A. Not as far as I know. Some of them are similar. For instance there are the resolutions of the various synods of the Presbyterian Church. Some of them are very similar to the Assembly's resolution. They have been passed since the meeting of the Assembly and they have naturally followed the language of the Assembly's resolution.

By Mr. McColl:

Q. Supporting as it were the action which the Assembly had taken?—A. Which the Assembly had taken. I might file the letters and resolutions received from different bodies as follows:

SINTALUTA, SASK., January 7, 1910.

MR. H. H. MILLER, M.P.,
Ottawa.

MY DEAR SIR,—As Chairman of the Select Committee of the House of Com-

APPENDIX No. 6

mons on Gambling, kindly permit me to very respectfully direct your attention to the accompanying resolution unanimously adopted by the Synod of Saskatchewan of the Presbyterian Church in Canada at its recent meeting in the city of Saskatoon, on Thursday, the fourth day of November, 1909.

I have the honour to be, my dear sir,

Yours very respectfully,

(Signed) ANDREW HENDERSON,

Clerk of the Synod.

At Saskatoon, in the province of Saskatchewan, and within Knox Church there, on Thursday, the fourth day of November, one thousand nine hundred and nine years, at which time and place the Synod of Saskatchewan met and was duly constituted.

Inter alia,

The following resolution was unanimously adopted:—

The Synod earnestly urges the Dominion Government to ask parliament at the coming session to amend the Criminal Code regarding race-track gambling, adulteries and the social evil, in harmony with the petitions now being signed by the electors of our province, and directs that a copy of this resolution be sent to Sir Wilfrid Laurier, Mr. R. L. Borden, Hon. A. B. Aylesworth and the senators and members of the parliament for this province.

Extracted from the records of the Presbyterian Synod of Saskatchewan by me.

(Signed) ANDREW HENDERSON,

Clerk of the Synod.

SENTALUTA, SASK., January 7, 1910.

CALGARY, ALTA., December 27, 1909.

H. H. MILLER, Esq., M.P.,
Ottawa.

DEAR SIR,—In connection with your commendable effort to amend the law *re* gambling, etc., I beg to submit to you a resolution passed at the meeting of the Synod of Alberta last spring. It will be found on page 7 of the accompanying printed minutes, and it was most heartily endorsed by the Synod. Hoping that a good advance step may be taken by parliament, I am,

Very sincerely yours,

(Signed) A. MAHAFFY,

Clerk Synod of Alberta, Presbyterian Church.

PRESBYTERY OF TORONTO,

PRESBYTERIAN CHURCH IN CANADA,

Toronto, December 24, 1909.

Mr. H. H. MILLER, M.P.,

Chairman, Select Committee on Gambling,
House of Commons, Ottawa.

MY DEAR SIR,—I am forwarding with this note a copy of the printed Minutes of the Synod of Toronto and Kingston, on page 31 of which will be found a Resolution of the Synod, passed at its last meeting dealing with gambling and immorality. The Synod met in St. James Square Church, Toronto, on the 11th, 12th and 13th days of May, 1909. The extract may be of service to your committee as indicating the opinion of the Synod, which was practically unanimous on this point.

Very truly yours,

(Sgd.) R. C. TIBB,

Clerk of Synod.

1-2 GEORGE V., A. 1911

The Synod regrets to learn that gambling and betting are so commonly indulged in by the people in connection with sports, elections, and in some cases with domestic games, and realizing the dire consequences to the national life to the growth of this popular life calls upon its people to discountenance all forms of the gambling habit. The Synod in this connection look with special disfavour on the gambling associated with the Woodbine races at Toronto. This place, central in location, and fashionable in character popularizes and propagates this vice throughout the bounds of the Synod. The Synod would therefore urge upon all Presbyterians, and sessions the duty of bringing pressure to bear upon members of parliament with a view to securing at an early date, legislation suppressing in our midst this abominable practice.

The Synod respectfully requests the government to make the following amendments to the Criminal Code:—

Making professional race track gambling illegal.

Making open and notorious adultery and lewd co-habitation a crime.

Increasing the penalties for procuring girls for immoral purposes.

Making the possession of obscene literature, as well as its exposure for sale, punishable by law.

The Synod would also urge upon the legislature the urgent need for re-organization of the police system for the province and defining more clearly the law of operation governing poolrooms.

FIRST PRESBYTERIAN MANSE,

ST. CATHARINES, January 7, 1910.

H. H. MILLER, Esq., M.P.,
Ottawa, Ont.

MY DEAR SIR,—May I take the liberty of calling your attention to the action of the Synod of Hamilton and London, of the Presbyterian Church in Canada, recorded on page twenty-two of the printed minutes of the meeting of the Synod held in the city of Hamilton, March 30, 1909, with respect to race track gambling and other immoral practices which prevail in our country.

These resolutions express the very decided convictions of the members of the Synod, and are most respectfully commended to the consideration of the committee of the House of which you are chairman.

I have the honour to be,

Faithfully yours,

(Sgd.) J. H. RATOLIFFE,
Clerk of Synod.

That the Synod earnestly and respectfully urge the Dominion Government to grant at the earliest date possible the amendments to the Criminal Code asked for by the Moral and Social Reform Council of Canada, namely: (1) Prohibiting professional race track gambling, &c.

Mr. H. H. MILLER, M.P.,

THREE RIVERS, QUE., Dec. 27, 1909.

Chairman, Sel. Com. House of Commons,
Ottawa.

DEAR MR. MILLER.—I am taking the liberty of sending to you a copy of the Minutes of the last meeting of the Synod of Montreal and Ottawa (of the Presbyterian Church in Canada), and of directing your attention to a resolution of said Synod (which met in Pembroke, May, 1909), bearing upon race-track gambling and other matters, and to be found on page 47, section 3, and in the

APPENDIX No. 6

hope that the resolution may strengthen your hands in the great and important work committed to your committee. Wishing you every success in the work. I am,

Yours truly,

J. R. MACLEOD,

Synod Clerk.

3. This Synod expresses its sense of alarm at the apparent spread of adultery, betting, white slavery, and expresses its earnest desire that the government provide legislation to prohibit race-track gambling, open and notorious adultery, and to increase to the utmost severity penalties for procuring girls for immoral purposes.

THE MANSE, PORT ARTHUR, ONT.,

Dec. 28, 1909.

MY DEAR DR. SHEARER,—Your letter received re Synod resolution on Moral and Social Reform to hand.

The reports you may remember were sent back to the committee with instructions to add another clause and to present at another sederunt.

The report was called for but the Convener was not present.

At the last sederunt it was again called for and the Convener was still absent and reported ill—the report not on the table. It was then agreed to leave the report in the hands of Winnipeg Presbytery to issue. I wrote to Dr. Patrick stating that I thought the resolutions that were adopted should be incorporated in the Synod records, and asked him to see Mr. Stewart, but I have not got any report. Strictly speaking I have no right to place them in the minutes having never been adopted as a whole, and any part thereof subject still to amendment.

I am writing Dr. Patrick again asking him to forward you such copy as may be in possession of the Committee or that may have been passed on to Winnipeg Presbytery.

Yours sincerely,

(Int). S. C. M.

P.S.—When minutes are printed a copy will be sent to your office.

S.C.M.

SYNOD OF BRITISH COLUMBIA.

The Synod deplores the refusal of the Dominion Government to ask Parliament to prohibit professional race-track betting and to make notorious adulteries and lewd co-habitation offences under the Code, and earnestly hopes that this action will be reconsidered and directs that this resolution be telegraphed at once to Sir Wilfrid Laurier and Hon. R. L. Borden.

By Mr. Sinclair:

Q. These different units did not meet together and agree upon a resolution unitedly, but they passed separate resolutions in different meetings?—A. Yes, Mr. Sinclair. The various units have their annual meetings at different times of the year and in different parts of the country, and they took such action in each case as they saw fit. In the Moral and Social Reform Council of Canada each unit is represented by elected representatives, not exceeding the number of ten. When they met in September last that council, constituted in the way which has been outlined, took such action as it saw fit, and that action has been submitted.

By Mr. Raney:

Q. That council is supposed to represent all these units?—A. Yes, sir.

Q. I understand.—A. But its action post dated the action of the units in most cases, the annual meetings of the units being earlier in the year than the meeting

1-2 GEORGE V., A. 1911

of the council itself. Now, the Trades and Labour Council of Canada also took action.

Q. Just read the resolution part of it unless the committee wish to have the whole of it read?—A. Just a moment until I look it up.

Q. The resolution is printed, I understand, in the minutes?—A. Yes, sir; I have the official copy of the minutes here. (Reads):

‘Resolution No. 49—By Delegate Bartlett, Trades and Labour Council, Winnipeg—’

Q. Tell me first what meeting is this?—A. This is the annual convention of the Trades and Labour Congress of Canada, which represents the great majority of the Trades and Labour Councils of the Dominion.

Q. Held last year at Quebec, was it not?—A. Yes, in the city of Quebec, in the month of September. Shall I go on and read the resolution?

Q. Yes. (Reads):

‘Whereas the courts have interpreted the Criminal Code as to make the business of bookmakers and handbook men lawful if carried on on the street or on race tracks if they keep obeying police orders to move on, though unlawful if done in a shop or booth, or on a soap box or other place within the legal meaning of the word, thus making the law ridiculous if not useless; and whereas most American States, as well as Japan, have outlawed the business of gambling and driven out the vice they propagate; and whereas large numbers of workers are victimized by this vice to the greater enrichment of the already wealthy; and whereas this Trades and Labour Congress, through its representatives in the Moral and Social Reform Council, joins other bodies in impressing upon the Dominion government the necessity of its asking parliament to prohibit all professional negotiations of bets on races run in this or other countries; and whereas the government has thus far refused to grant our request; Therefore, resolved, that this Congress puts on record its serious disappointment because of the inaction of the government, and renews, with added earnestness, its request for an amendment to the Code suppressing this hurtful vice, and directs the secretary to send a copy of this resolution to the Right Honourable Sir Wilfrid Laurier and to the Honourable W. L. Mackenzie King, Minister of Labour, with the request that they use their influence in the cabinet and parliament towards securing action during the coming session of the House.’

This resolution was, I am told by the secretary, adopted unanimously by the Congress.

Q. Then, Dr. Shearer, will you say why you are here attending the sessions of this committee?—A. I am here by appointment, first, of the Board of Moral and Social Reform of the Presbyterian Church of Canada. I am here also by appointment of the executive of the Moral and Social Reform Council of Canada.

Q. And are you here under instructions to attend and pursue this matter?—A. Yes, sir.

Q. Inquiry was made at one stage of the proceedings for the form of circular which had been sent out by you, I think with forms of petitions, to various places in Canada for signature. Do you happen to have a copy of that circular letter?—A. Yes, I think I have a copy. (After making search.) Do you wish me to read the letter?

Q. I do not think I will trouble you to read it. I will put it in for the purpose of cross-examination if my learned friends on the other side wish to make use of it. Will you say that that letter was sent out in pursuance of your general instruction?—A. Yes; it was sent out along with the petitions.

Q. Then the Ontario Jockey Club have served you with a notice to produce various matters for the information of the jockey clubs and this committee; books and accounts of the Moral and Social Reform League showing all accounts and entries for

APPENDIX No. 6

the past six years, and statements showing for the same period (1) all moneys received and sources from which the same was received. Could you say how much money this council has received?—A. Yes, sir.

Q. During the past six years?—A. Yes, sir; I will give you the report of the treasurer.

Q. Just give me the totals; I do not want to go into particulars?—A. Our council has only been in existence two or three years.

Q. How much money has it received?—A. It has received during that time, according to the treasurer's audited statement appearing in the printed minutes, \$466.00.

Q. Then Mr. McCarthy also wanted to know how much had been disbursed for salaries?—A. There are no salaries.

Q. Or other payments to persons or employees of the league?—A. There are no employees.

Q. This \$400 has, I suppose, been spent for——?—A. For printing and clerical work, and such like.

Q. If Mr. McCarthy wants any more information of that kind, he will ask for it I have no doubt. Then, Dr. Shearer, one or two other questions arising out of the evidence which has been already given. Mr. Orpen and the Jockey Club say that the bookmaker is not a gambler, that his business is as defensible on economic grounds as that of the broker, real estate dealer or professional man; what have you got to say about that?—A. I do not suppose that very many people would seriously contend to that effect. Perhaps I may be permitted to read one or two of the brief definitions that are given in the words and phrases judicially defined.

Q. From a monumental work given to the definition of phrases and words?—A. I am reading from Volume 4, which I obtained in the Parliamentary Library here.

Mr. McCOLL.—Surely that is a matter for the committee to inquire into itself.
A. (Reads).

Gambling is the risking of money or anything of value between two or more persons on a contest of chance of any kind where one must be the loser and the other the gainer.' And

'Betting on a horse race is gaming within the meaning of a statute providing for recovering back money lost in gaming.

Those are perhaps enough authorities to read.

By Mr. McColl:

Q. I think you read that gambling was a wager upon a game of chance, it especially mentions chance, not necessarily a test of skill or endurance.—A. That is in the first definition, there are various definitions.

Q. That means that it is a pure chance?—A. But the second definition definitely says that betting on a horse race is gaming within the meaning of some statute.

Q. Is that a British statute or what?—A. The reference is here. I would like also in answering your question to read a few sentences because I think it puts it more concisely and more authoritatively than any words of mine could, from the Study of Sociology by Herbert Spencer, this volume is also from the Parliamentary Library.

Q. Is he a theologian?—A. You are not joking, Mr. McColl? I am reading from page 306 (Reads).

Listen to a conversation about gambling; and, where reprobation is expressed, note the grounds of the reprobation. That it tends towards the ruin of the gambler; that it risks the welfare of family and friends; that it alienates from business, and leads into bad company—these, and such as these, are the reasons given for condemning the practice. Rarely is there any recognition of the fundamental reason. Rarely is gambling condemned because it is a kind of action by which pleasure is obtained at the cost of pain to another. The normal obtain-

1-2 GEORGE V., A. 1911

ment of gratification, or of the money which purchases gratification, implies, firstly, that there has been put forth equivalent effort of a kind which, in some way, furthers the general good; and implies, secondly, that those from whom the money is received, get, directly or indirectly, equivalent satisfaction. But in gambling the opposite happens. Benefit received does not imply effort put forth; and the happiness of the winner involves the misery of the loser. This kind of action is therefore essentially anti-social—sears the sympathies, cultivates a hard egoism, and so produces a general deterioration of character and conduct.

Q. I suppose that calls for no comment, that is intended to be your answer?—A. I think it is sufficient.

Mr. RANEY.—The answer was with reference to Mr. Orpen's and the Jockey Club's contention that a bookmaker is not a gambler.

By Mr. McColl:

Q. Then what have you to say about legalizing gambling on the race track as an exception to the otherwise universal prohibition of the business of gambling?—A. Well, I should say in the first place that it would create a ridiculous condition of the law. It would result in a man being held to be a criminal for instance in one place and a decent citizen, a good citizen, a gentleman if you like, in another place; or in his being a criminal at one time and a decent citizen or a gentleman at another time; he is a criminal outside the enclosure, he is a gentleman inside the enclosure while doing exactly the same thing and comporting himself in exactly the same way. Then I should say that it would be a species of class legislation in the interests of private corporations or companies, enabling them to draw large revenues which really come from the pockets of the people who are in fact victimized by professional bookmakers or gamblers. Then I should say also that it would make the effective enforcement of the law extremely difficult if not impossible for the reason that in the eyes of the public, in the eyes of those that might be tempted to engage in gambling with the bookmaker the same thing is held to be a crime in the one place or at the one time, and a legitimate transaction in another place or at another time, and naturally the public would not be likely to have much respect for a law that in its incidence results in such a condition of things. Then I would like to say also that it is hurtful and objectionable in that it confuses moral standards which is always necessarily inimical to the general well being. That I dare say needs no comment in view of what has been stated before. Then I feel sure that such a law would be resented by the conscience of the great mass, I should say, of Canadians. They have been resenting the present condition of the law I believe that it is still seriously contended that Parliament should deliberately perpetuate the present condition of things or even more fully legalize the vice of gambling in a limited space and at limited times, perhaps, but I daresay that would be the more resented because of the fact that nearly all the American States have made the vice of gambling when carried on as a business a crime.

Q. In your opinion, would you suggest that the limitation of the race meetings to two weeks in the spring and two weeks in the fall, will reduce the gambling evil?—A. I do not think it would, and for this reason: There is no doubt there would be less evil in one meeting of two weeks than there would be in one meeting of two months, there is no question of that, I think; but if there were a meet at Blue Bonnets for two weeks, followed by a meet of two weeks at Woodbine, and that followed by another meet at Hamilton for two weeks, followed by another at Fort Erie for two weeks, and winding up by a meeting at Windsor for two weeks, you will have in that case a continuous operation of racing meets, if at different places, yet within easily accessible distances of one another, for a period of ten weeks on five tracks. Mr. Orpen has a charter which enables him to establish racing tracks and he has one in Hamilton which is outside of that circuit of five now—

Q. In Toronto you mean?—A. In Toronto, which is outside of these five, and

APPENDIX No. 6

beyond the control of the Canadian Racing Association, but his charter enables him to establish tracks anywhere throughout the Dominion. It may be that Mr. Orpen may, in the course of the near future, either personally or in association with others, have a dozen racing tracks within the provinces of Ontario and Quebec, all of which could be kept going so that you may have continuous racing within accessible distances in these two provinces for all the period of the year during which racing is possible from climatic conditions. Then you may have running concurrently with that, a similar condition of things in the prairie provinces where they could very well pass from one to the other. You may also have the same thing going on in the Pacific province, where they had two racing meets, the two of them covering nearly ninety days, I understand, during the past summer. Other race tracks may spring up in the prairie provinces and you may have a similar condition of things there, continuous racing throughout the portion of the year during which in Canada racing is possible anywhere. You may have bye and bye the same kind of thing in the maritime provinces also. In all these different sections of the Dominion you may have practically continuous racing, except during the winter season, and ice racing may even make it continuous throughout the year.

By Mr. Blain:

Q. You do not want to go on record as being in favour of reducing the number of days, do you?—A. What I wish to say is that in my opinion it would not result in any material reduction of the evils of gambling, in view of the facts that I have just given, and that I dare say I need not repeat. The lessening of the number of days on one track would undoubtedly lessen the evil. So far as the one track was concerned those evils would be a great deal less in two weeks than in two months; but, in view of the fact that one may follow the thing and keep up continuous racing in all sections of the Dominion, I do not think it is any remedy for the serious evil.

Q. And do they not do that now?—A. Yes, they do, only that the increasing of the number of tracks if bookmaking is legalized as is proposed, would gradually extend the evil beyond its present dimensions.

By Mr. Raney:

Q. What have you to say with regard to the proposition of Mr. Orpen and the Jockey Club that parliament should compromise by legalizing bookmaking on race tracks and prohibiting it everywhere else?—A. At the present time I understand poolrooms are unlawful and the Bill that is under consideration now will continue to make them unlawful. Until very recently it was supposed the business of the handbook man was unlawful too, but by recent decision given by Magistrate Denison, I think, of Toronto, it has been held that the handbook man is practically in the same position as the bookmaker.

Q. Whilst he works on the street?—A. Yes and as long as he is not in an enclosure he may carry on his business and be within the law. The public agitation has been for legislation remedying the very great evils associated with the business of gambling, the public agitation has dealt almost exclusively—not exclusively, but very largely—with the business of the bookmaker on the race track. There has been no agitation against the handbook man because it was the popular belief that it already was unlawful; there has been no agitation against a poolroom because the poolroom was unlawful; there has been no agitation of any great extent against the tipster or the publication of tips because the public did not know that that was practised to any great extent. But the public did know and was fully apprised of the fact that the bookmaker, as he is carrying on his gambling business on the race-track was causing serious injury to the general well-being and therefore the public agitation has been not exclusively but very largely, for the prohibiting of the business of gambling as practised by the bookmaker on the race track. The petitions deal not exclusively but very largely with that one thing. The proposition seriously advanced by the jockey clubs

1-2 GEORGE V., A. 1911

and as you have said by Mr. Orpen, that the bookmaker should be legalized on the race track would be to fly in the face of the expressed public opinion of the country—

Q. As you understand it?—A. And would be no compromise from my view-point seriously considered at all but a surrender.

By Mr. Moss:

Q. You are a clergyman by profession, Dr. Shearer, are you?—A. Yes, sir.

Q. To what denomination do you belong?—A. Presbyterian.

Q. Are you carrying on your profession at the present time?—A. Yes, sir.

Q. Where?—A. Throughout Canada.

Q. Where?—A. I beg your pardon.

Q. Throughout Canada?—A. Yes, sir.

Q. You have no particular parish at the present time?—A. Yes, I have.

Q. What is your parish?—A. The Dominion of Canada, Newfoundland and the Bermudas.

Q. Will you tell me what your exact position in the church is?—A. My position is secretary of the Department of Moral and Social Reform and of the Department of Evangelism under appointment of the General Assembly of the Presbyterian Church.

Q. Of the Presbyterian church?—A. Yes sir, I am also as has been said secretary of the Moral and Social Reform Council of Canada which is undenominational, that office being honorary.

Q. But your salary is paid by the Methodist church?—A. By the Presbyterian church.

Q. I mean by the Presbyterian church?—A. Yes sir.

Q. The chief part of your business at any rate, is acting as secretary of this Moral and Social—what do you call it?—A. The Moral and Social Reform Board of the Church and of the Committee on Evangelism.

Q. To which do you devote the most of your time?—A. Well, I devote a great deal of my time to it.

Q. To which do you devote most of your time?—A. I am responsible for the work of both of them.

Q. I am asking you to which do you devote the most of your time, can you tell me?—A. That depends. Some part of the year I devote myself to evangelism, another to moral and social reform. At other times both are carried on simultaneously. I should say the work of moral and social reform is more extensive in its administrative detail.

Q. Does it or does it not occupy most of your time; can you answer that question?—A. Does it?

Q. Which of the two occupy most of your time; surely that is a plain question?—A. I am endeavouring to answer your question.

Q. Do not take up the time by arguing about it. Answer the question if you can and if you cannot, say so. A. What I was saying is the administrative detail of the department of moral and social reform is greater than the other and therefore occupies more of my energy and time.

Q. Considerably more does it not?—A. But I am responsible for both.

Q. It occupies considerably more of your time does it not?—A. Probably it does. I am not in a position to say because I am working at both all the time.

Q. And what are your duties as secretary of this board?—A. What are my duties?

Q. Yes. A. My duties are as recording secretary to have charge of the minutes and records and correspondence of the department and as field secretary in addressing conventions, assemblies and synods of presbyteries and congregations, and preaching from time to time and in place to place.

Q. On special subjects which are regarded as—A. Connected with the department.

Q. Connected with social and moral reform?—A. Yes, sir.

APPENDIX No. 6

Q. How long have you occupied that position?—A. I was appointed two years past last June.

Q. And prior to that what position did you occupy?—A. I was a general secretary for some years of the Lord's Day Alliance of Canada.

Q. I see. For how long did you occupy that position?—A. For a little over seven years.

Q. And prior to that?—A. I was pastor of Erskine Church in the city of Hamilton for a period of nine years.

Q. Does that cover your pastorate?—A. No, sir. Before I was called to the city of Hamilton I was pastor of the Presbyterian church of Caledonia where I was ordained. I was there for two years and eight months.

Q. Are you a Canadian by birth?—A. Yes, sir.

Q. Prior to your appointment, who was the secretary of the Board?—A. The Board of Moral and Social Reform?

Q. Yes?—A. The Board of Moral and Social Reform was founded by the General Assembly in June, 1907.

Q. It came into being then?—A. Yes.

Q. When was the Moral and Social Reform League of Canada formed?—A. In December, 1907.

Q. So that both came into being at the same time?—A. Well, not at the same time, but within a few months.

Q. I mean practically the same time, and who took over the Lord's Day Alliance work then?—A. The Rev. T. Albert Moore succeeded me as general secretary, there are other secretaries, of course.

Q. Have you anything to do with that now?—A. No, sir, not officially.

Q. Where does Dr. Chown come in?—A. He is secretary of the General Conference Board of Temperance and Moral Reform of the Methodist Church of Canada.

Q. Has he any position in the general Canadian body?—A. Of the Moral and Social Reform Council?

Q. Yes.—A. No, he is a member of the general committee, but he has no office.

Q. Is it you or Dr. Chown who has taken the principal part in connection with this betting question?—A. A. Well, I do not know that either of us has taken the principal part, I have taken such part as would appeal to me as secretary.

Q. You have both been pretty active?—A. Yes.

Q. You have been a pretty energetic and active secretary?—A. I hope we have been.

Q. And you commenced on this question as soon as you were appointed?—A. There had been a great deal of interest taken in it of course in the various church courts before that time, but it became of course part of my official duty.

Q. When was Dr. Chown's office founded?—A. I think five years earlier.

Q. And did you and your association take up the question of race-track betting immediately after its foundation?—A. What was that?

Q. Did you and your association take up the question of race-track betting immediately after the foundation of the association?—A. I think it was taken up first by the Moral and Social Reform League of Canada after its formation.

Q. Before it was taken up by your Presbyterian body?—A. Yes.

Q. And it was started then about 1907, was it?—A. I think so either in the end of 1907 or early in 1908.

Q. And you immediately proceeded to work in the direction of endeavouring to secure legislation along these lines, did you?—A. Yes.

Q. What was your first step in that direction?—A. The council after considering the question carefully and adopting a resolution upon the subject determining upon their course of action referred the carrying out, the giving effect to its resolution to its executive committee.

Q. Consisting of?—A. Do you want the names of the executive?

Q. Yes, please?—A. The executive at that time?

Q. Yes, please? Have you the resolution there that you were speaking of that inaugurated this work?—A. I think I could find it.

Q. Have you the minute book there?—A. Yes.

Q. Just let us see it, please, the resolution that started the campaign?—A. Do you want the names of the executive first.

Q. Yes?—A. Archbishop Sweatman, Primate of the Church of England in Canada, honorary president; Rev. Dr. Carman, General Superintendent of the Methodist Church, vice-president; Mr. James Simpson, of the Dominion Trades and Labour Congress, vice-president; myself as secretary, and Mr. Henry Moyle, treasurer; Dr. Chown, Rev. Canon Tucker, Sir Thomas Wardlaw Taylor, Professor E. M. Kierstead, D.D., Dr. Charles J. Copp, J. G. O'Donoghue, W. C. Good and T. F. Fullerton. Those were the executive officers and there are the presidents of the various provincial Moral and Social Reform bodies.

Q. Those are the people that this matter was referred to?—A. Those are the ones that I have read. Those are the executive that I have read, not the members of the council, I wish that to be understood.

Q. Now, let us have the resolution which was adopted, which started the campaign for this legislation.—A. It is dated December 8th and 9th, 1908.

Q. That is a meeting of your council?—A. A meeting of the council, not the executive.

Q. What was the resolution?—A. The resolution was moved by Canon Welch and seconded by Canon Ingles, now Archdeacon Ingles, as follows:—

‘It was unanimously resolved that the amendments to the law governing race-track betting, which have been prepared under the direction of the Presbyterian Board of Moral and Social Reform and other information submitted by the Secretary, be referred to the Executive of this Council to take such action in the name of the Council as it may deem fit, with a view to the effective prevention of all race-track gambling.’

Q. Then you were not quite correct in saying that the movement originated in the Canadian Association?—A. It would seem not from that.

Q. Would you turn to your Presbyterian Association's minutes and let us have the first resolution?—A. Those minutes are not here. I was not asked to produce them.

Q. When was that resolution of the Presbyterian Board of Moral and Social Reform passed?—A. It would probably be in September of that year.

Q. September 1908?—A. Yes, I am saying that because I know the Board met in that month.

Q. Then your League, the Presbyterian League had prepared it?—A. It had started evidently first, I thought they were in the other order.

Q. Let us hear that resolution again?—A. “It was unanimously resolved that the amendments to the law governing race-track betting which have been prepared under the direction of the Presbyterian Board of Moral and Social Reform and other information submitted by the Secretary, be referred to the Executive of this Council to take such action in the name of the Council as it may deem fit with a view to the effective prevention of all race-track gambling.”

Q. Where is the information submitted by the secretary?—A. Where is it?

Q. Yes?—A. I am not prepared to tell you where it is now, I expect it is in the records of the office.

Q. What was the nature of that information?—A. So far as I recollect it recited the action of the various American States dealing with this matter and information about the evils resulting from bookmaking on the race tracks. I do not now recall whether there was anything more than that or not. Sir Thomas Wardlaw Taylor was chairman of the committee in dealing with the matter and gave a good deal of attention to the law on the subject, and I think he had a memo. or a report on the law which was considered at that time, but I am speaking now from memory.

APPENDIX No. 6

Q. And you supplied the information as to the facts did you?—A. To the Council?

Q. Yes.—A. Well, I should judge that from the resolution as read.

Q. Now I want to get back to the preliminary meeting which you say was in September when these resolutions were adopted by your Board.—A. Yes.

Q. You supplied the information, the facts, I suppose upon which that action was taken?—A. I probably did in part. At any rate the matter was considered, of course, by the Board as a whole.

Q. And that material was got together by you for presentation to that meeting in September?—A. Whatever was got together was got by me.

Q. And you were the principal source of information on that I presume?—A. I would not like to say that. I suppose that being the executive officer it was my duty to give more attention to it than it would be the duty of any other member.

Q. Have you any recollection on that?—A. No, nothing that is clear.

Q. Where is that minute book; could that be got?—A. The minute book of the Presbyterian Church?

Q. Yes?—A. It is in Toronto in the office.

Q. I suppose it could be got if it were telegraphed for?—A. I suppose it could.

Q. When did you start compiling the information which you submitted to this meeting of the Board in September, 1908?—A. I could not tell you from memory Mr. Moss.

Q. Cannot you tell me at all from memory?—A. It should not be longer than about probably the 1st of September, 1907, because I was only appointed by the General Assembly in June of 1907, and went on duty only on the 1st of November, 1907, so it could not be earlier than that.

Q. And it would probably be somewhat later than that?—A. Quite likely.

Q. I suppose it would not probably be until along in the spring of the year when the races were starting at the Woodbine; would that help you at all?—A. I do not know that that would make any difference. The first meeting, which was not really that of the Moral and Social Reform Council, but the meeting out of which the Moral and Social Reform Council grew, was held, if my memory serves me, in either November or December of 1907.

Q. In November or December of 1907?—A. Yes.

Q. So that the council was not actually formed at that time?—A. No. The first meeting of the actual council was the one whose minute I read a moment ago.

Q. Well, then, you told us that the Presbyterian Board was formed at about the same time?—A. Well, it was formed in the June preceding.

Q. That would be June, 1908?—A. No; 1907.

Q. How did the Presbyterian Board come to be formed first of all?—A. It was formed by the General Assembly.

Q. Who was active in getting that up?—A. Oh, a great many men of the church. I think the most active men was perhaps Prof. Pidgeon, now professor of Practical Theology in Westminster Hall, Vancouver. If you are anxious to know whether I was active, Mr. Moss, I am very glad to tell you I knew nothing about it. I had no association whatever with it.

Q. I did not want to suggest that you were active at all about it?—A. No.

Q. I hope I did not make any insinuation; I did not intend to?—A. I thought possibly you wanted to know that. I will be glad to tell you anything you wish to know.

Q. I was seeking information for Mr. McColl. How did the Dominion Council come to be formed; at whose suggestion was that?—A. The council was formed as the result of a conference held in the city of Toronto by each of the various churches, and perhaps other bodies. I am not sure as to what bodies were represented at that meeting. At any rate, at a conference held in either November or December of 1907.

Q. I see?—A. And that meeting was unanimously of opinion that some body

ought to be formed by which the various churches and other sympathetic bodies in the country could co-operate toward the strengthening of the forces making for good citizenship in the various directions.

Q. Were you active in the formation of that association?—A. Yes.

By Mr. McColl:

Q. In convening the meeting at which this association was evidently formed?—

A. Yes.

By Mr. Moss:

Q. Then you have told us, as I understand it, that the question of this race-track betting was first taken up later than November, 1907?—A. Not earlier than that. It may have been taken up at that first conference. I could not say now from memory.

Q. And the matter was presented to your board in September, 1908, and from then went on to the Dominion Council in November of that year?—A. Yes. You will notice, of course, from what has already been put in that action had been taken by the Methodist Board of Temperance and Moral Reform dealing with this matter as early as 1906, and at various times on till the formation of the Moral and Social Reform Council and since. That is in evidence.

Q. Then, where did you get the information submitted to the Moral and Social Reform Council in November, 1908?—A. From various sources. A good deal of it had been accumulated from reports in the press, and at one time—I am not prepared to say now whether it was before the date of which you spoke or afterwards—I took the trouble to write to the Secretaries of State, or to the Attorneys General, as the case may be, of all the various states in the American Union, asking for statements as to the condition of law bearing upon this particular matter and certain other matters.

Q. And asking for information as to the——?—A. I asked for copies of the law wherever they could furnish those, and, if they were not able to furnish copies, to give information that would indicate the import of their law on the question.

Q. Where did you get your information as to the Canadian law?—A. As to the Canadian law?

Q. Yes?—A. I think the primary adviser as to that was Sir Thomas Taylor, ex-Chief Justice of Manitoba.

Q. Who drafted the form of resolution which seems to have been prevalent? For instance, this one (reading): 'Whereas the courts have interpreted the Criminal Code as to make the business of bookmakers and handbook men lawful if carried on on the streets or on race tracks, if they keep obeying police orders to move on, though unlawful if done in a shop or booth, or on a soap box, or other place within the legal meaning of the word, thus making the law ridiculous if not useless,' etc. Who was responsible for drawing that up?—A. Are you reading from the minutes of the Trades and Labour Congress of Canada?

Q. Yes?—A. I could not tell you anything about that, Mr. Moss.

Q. Then let us have one you can tell us about. Did you draw up any of them?—A. Yes.

Q. Which one did you draw?—A. I drafted the one which was the basis of the resolution finally adopted by the General Assembly of our church at Hamilton last year. I think the original draft probably was made by me and was duly considered by the Assembly's Board of Moral and Social Reform, and modified in various ways at the judgment of the board, and was then submitted to the General Assembly and adopted by it.

Q. And that form of resolution, or a form of resolution, was sent out to the different units whose resolutions you have put in to-day?—A. No, sir.

Q. Well, they are very similar, most of them?—A. I would not say they were. Some of them are.

Q. Well, they were sent to a great many of the units?—A. The resolutions, for

APPENDIX No. 6

instance, from the various Anglican sources, Methodist sources, Baptist sources and Congregational sources are in no ways similar.

Q. Then let me see those resolutions, please?

Mr. RANEY.—I am not sure you put in the Baptist or the Congregational resolutions?—A. I put in the resolutions of the Baptists and the Congregational Union, they were not read but they are there, and they were tabled at the time.

By Mr. Moss:

Q. Now, the resolution of your Council in December last, was that drafted by you?—A. I think it was, most of it, it was afterwards referred to a committee and it was brought in by the committee in a modified form.

Q. You accept the responsibility for it as it stands now?—A. No, sir.

Q. You do not?—A. No.

Q. Who is responsible for it as it stands now?—A. The mover of it was Dr. Hoyles, Principal of the Ontario Law School and the seconder was Principal Scrimger.

Q. What changes have they made in it from your draft?—A. I do not think I can tell you from memory.

Q. Was this clause,

And whereas the States of New York, Alabama, Louisiana, Texas, Missouri, Illinois, California, Washington and many other American States, as well as Japan, have recently put an end to all such professional gambling, leaving Canada almost alone in legalizing this vice, and making the Dominion and her race tracks a rendezvous of gamblers and criminals from other parts of the continent.

Was that your work?—A. It may have been.

Q. Was it?—A. I am not prepared to say whether it was in that exact form but it was something to that effect.

Committee adjourned.

COMMITTEE ROOM, No. 32,
HOUSE OF COMMONS,
THURSDAY, February 17, 1910.

The committee resumed at 8.30 p.m., the Chairman, Mr. Miller presiding.

The examination of Rev. Dr. Shearer resumed.

By Mr. Moss:

Q. Dr. Shearer, I was asking you when we adjourned whether you were the author of the paragraph in the resolution of the Moral and Social Reform Council of Canada of September 10, 1909, which referred to the different States of the Union and said that Canada was almost alone in legalizing this vice and you said you were.—A. I think probably I was.

The CHAIRMAN.—Let me say one thing, we are desirous to get through tonight and I trust counsel will endeavour to assist the committee in doing so.

Mr. Moss.—There is a great deal of ground to be covered in Dr. Shearer's cross-examination, I think it is only fair to say that to the committee, but I will get through with it as quickly as possible if Dr. Shearer will assist by answering the questions frankly and to the point.

By Mr. Moss:

Q. Then about the first paragraph, (Reads).

Whereas the Courts have interpreted the clauses of the Criminal Code intended to prohibit professional bookmakers from negotiating bets, in such a way as to make this lawful on a race track or on the street, if the bookmaker moves about, while unlawful if he remains in any building, booth or place, thus at once defeating the manifest intention of Parliament and making the law ridiculous;

You remember that paragraph, are you the author of it?—A. Possibly.

Q. Probably?—A. Probably.

Q. Are you the author of it, Dr. Shearer, you remember?—A. I could not say any more positively than that, because I made a draft resolution, that draft resolution went into the hands of a committee of which I was not a member, and I do not know the exact terms of the draft resolution. I do not know that it is a matter of any consequence; it is there as it came from the hands of the committee and I am not prepared to say from memory absolutely.

Q. I am not asking you whether you consider it a matter of importance but whether your recollection is that you were the author of it?—A. I think quite likely I was.

Q. There wasn't any important change made in the resolution, was there?—A. There were changes.

Q. I said important changes?—A. I am not able to say that.

Q. But you do not say that there were—first of all dealing with some of these other resolutions, apparently the resolutions by the Methodist bodies are directed to the straight abolition of race-track gambling? Do you recollect that?—A. I do not know anything about the Methodist resolutions except that they have been sent to me.

Q. You have read them, have you not?—A. I do not know that I have read them.

Q. There is one there from the Secretary of the Methodist Church representing six annual conferences, setting down the list of matters dealt with by those conferences and recommended for effort by the church during the present year. The very first item in this list is 1, that race-track gambling be abolished, and I see here another one from Newburg, 'We urge the securing of such legislation as will prohibit race-track gambling.' So that I would gather that probably these resolutions would represent the opinion of the Methodist Church, these cover all the resolutions practically?—A. I can in no way answer for the Methodist Church.

Q. You cannot answer for the Methodist Church?—A. No.

Q. Are not these Methodist organizations branches of your league?—A. No, the Methodist Church, through its Board of Moral and Social Reform, is a member of the Federal Council, but I have had no direct communication or intercourse with the Methodist Church or its courts.

Q. Have you any resolution from the Methodist Social and Reform League?—A. Yes.

Q. Is it here?—A. Yes.

Q. Can you pick it out for me?—A. There it is.

Q. There are several resolutions by the Methodist Temperance and Moral Reform League. The first one is on the 9th of October, 1906, there is one on the 24th of October, 1907, another on the 11th of September, 1908, and a second one on that date, all dealing with gambling. The first one on the 11th of September, 1908. (Reads):—

'This board expresses its profound disappointment that the Dominion parliament has failed to enact legislation suppressing race-track gambling.'

And on the same date it resolves:—

'In view of the present conditions, and especially since the legislature of the state of New York has practically driven out a large number of persons whose livelihood was obtained by such methods, and who have come to Canada to ply their nefarious trade, we deem the time opportune to demand urgently that the law of the Dominion should, at the earliest time, prohibit all gambling, especially that associated with the race tracks.'

APPENDIX No. 6

So that apparently the view of the Methodist Social and Moral Reform League is that parliament should pass an Act prohibiting all gambling?—A. I have no knowledge other than you have on that point.

Q. You have not read these resolutions?—A. I have read the resolutions.

Q. Is not that the effect of those resolutions?—A. Well, I was not following the resolutions, as you read them very closely.

Q. I am sorry you were not, because you are wasting the time of the committee?—A. I have already told you that I will not speak for the Methodist Church; those resolutions speak for themselves, and I do not think I can help you in coming to your own conclusion as to what they mean or as to what the Methodist Church thinks. Those reached me only yesterday by mail here in Ottawa.

Mr. MONK.—Do you think there is any object in having this witness explain the resolutions unless it is leading up to something else?

Mr. MOSS.—If he says he does not know anything about them, I will not bother any more with the Methodist resolutions.

Q. What were those amendments you submitted at that meeting, Dr. Shearer?—A. What amendments are they, Mr. Moss?

Q. Well I do not know. A. What does it say?

Q. (Reads): 'It was unanimously resolved that the amendments to the law governing race-track betting, which have been prepared under the direction of the Presbyterian Board of Moral and Social Reform and other information submitted by the secretary be referred to the executive of this council to take such action in the name of the council as it may deem fit with a view to the effective prevention of all race-track gambling?—A. Those were amendments, proposed amendments, to the code covering this matter, drafted, if my memory serves me, at that particular stage of the development of the movement by Sir Thomas Taylor.

Q. I see. And apparently from the language of that resolution the object of those amendments, as then drafted was to prohibit all race-track gambling or betting I suppose. A. No, I do not think so, Mr. Moss. The position taken as I recall it from the beginning was that whatever our opinion might be about race-track betting between private individuals per se, that legislation ought not to be sought going farther than prohibiting the business of betting or gambling.

Q. Then what was your opinion about betting between individuals and the opinion of your confrères?—A. On which?

Q. On betting per se as you call it?—A. Well in what respect did you wish my opinion, Mr. Moss.

Q. I want your opinion on that subject?—A. As to the ethics of it?

Q. First of all from a religious point of view do you think it is a sin?—A. I think the practice of it is a sin.

Q. A sin I said?—A. And the practice of any vice I should say was a sin.

Q. I see. You think the practice of it is a vice and the practice of any vice is a sin?—A. Yes, but do not interpret that statement as applying to any imaginary case of an individual act of betting between two individuals unless all the circumstances are submitted.

Q. Well you say the practice of betting?—A. Yes.

Q. Is a vice?—A. Yes.

Q. What do you mean by the practice of betting?—A. The habit of it.

Q. The habit of it?—A. Yes.

Q. That is to say betting to excess?—A. No, I would not say betting to excess, but continuing to bet.

Q. Continuing to bet?—A. Yes.

Q. By continuing to bet you mean betting several times?—A. Yes.

Q. You mean to say it is not a sin to bet once but it is a sin to bet two or three times?—A. I did not say that?

Q. Well what do you mean?—A. I say that the practice or the habit or the continuing to bet is in my opinion a vice, and being a vice of course it is a sin.

Q. Well then what constitutes the habit of betting in your opinion?—A. Indulging in it from time to time.

Q. Do you mean to say that you think it is a sin to indulge from time to time in betting in moderation?—A. I think so, yes.

Q. You do not think it is a sin to bet once?—A. I did not say that.

Q. Well do you think it is a sin to bet once?—A. I would need to know the circumstances before I would swear that.

Q. What difference would the circumstances make?—A. Well something might depend upon whom the individuals are and why the proposition is made.

Q. Well, do you think it is a sin for two men to bet on the race track?

Mr. RANEY.—Is this Committee concerned about sins one way or another?

Mr. MOSS.—Allow me to take my own course and we will save time——

A. If you will give me a particular case, Mr. Moss, I will answer you.

Q. Well, take the case of two individuals going down to the race course and putting up their money with each other—two friends if you like, betting \$5 or \$10, or \$50 or \$100—a sum that each of them can afford to lose and betting, one that a certain horse will win and the other that he will not, do you regard that as a sin?—A. I would not do it.

Q. I am not asking you that, I am asking you whether you regard it as a sin, as something contrary to the Divine Will?—A. I would not say what would be a sin for some other person. I would not do it, I would consider it wrong for me to do it.

Q. Well I respect your views in that regard, Dr. Shearer, and I suppose you would be broad enough to say that it would not be a sin for other people to do it?—A. Well I would not say that. I would have to know all the circumstances and every other matter.

Q. Would you say it was a sin for those men to go down at intervals betting in moderation from time to time and betting within their means?—A. I think the principle is wrong.

Q. For you?—A. For anyone. To endeavour to get money, or anything else that is valuable, without rendering a fair equivalent for it, and I understand that to be what is done in every case of betting.

Q. That is what your idea of betting is?—A. Yes.

Mr. MONK.—That is the opinion of a great many people Mr. Moss. But it would not affect our decision on this Bill.

Mr. MOSS.—Apparently that is the opinion that is at the basis of this movement.

Mr. MONK.—There is a very strong opinion that it is.

Mr. STRATTON.—It absolutely depends upon the circumstances.

By Mr. Moss:

Q. Then, Dr. Shearer, we may take it that you regard it as a sin for anybody to make a practice of betting even if it is done in moderation and within a person's means?—A. I should say so.

Q. And apparently your resolution as framed there goes the whole length of seeking to abolish all betting on the race track?—A. If you read the resolution Mr. Moss, adopted by the General Assembly last June, you will get what is the only authoritative statement as far as the Presbyterian church is concerned, and if you read the resolution of the Moral and Social Reform Council of Canada of 10th September, 1909, you will get the latest deliverance of that council, they speak for themselves.

Q. Let us have the resolution you spoke of, is it in your minute book?—A. No, the council's resolution is there, (pointing to the minute book). The General Assembly resolution is in the hands of the reporters.

APPENDIX No. 6

Q. I have here the minutes of the Moral and Social Reform Council of Canada, September 10th, 1909, and the resolution there says, (Reads):

‘Therefore, resolved that the Council expresses its strong sense of disappointment on learning that the government refused last session to accede to this request, and earnestly calls upon all who respect the council’s judgment to join in awakening public opinion in all parts of Canada, and bringing legitimate influence to bear upon the members of parliament and the government to take immediate action which will effectively prevent all professional race-track betting and the harm and ruin that result from it.’

Then, apparently, Dr. Shearer, your original instructions appear to be to take steps to prevent all race-track gambling?—A. The business of it.

Q. Then, from your original instructions you were to take steps to prevent all race-track gambling?—A. Is that how it reads?

Q. That is how it reads, I think.—A. I have no hesitation in saying that was not the intention.

Q. That was not the intention?—A. So far as my knowledge extends it was not my intention.

Q. It was not your intention. Now, the resolution of the 8th December, 1908, reads: ‘With a view to the effective prevention of all race-track gambling.’ Those were the instructions you received at that meeting. Now, why do you say that was not your instructions?—A. I do not say they were not my instructions, the resolution reads for itself. I do not understand the command as there issued as requiring that I should take any action so far as legislation is concerned beyond the limits of making the business of gambling illegal and taking action other than that.

Q. Then did you take any action prior to this resolution of the 10th of September, 1909?—A. What you mean by that?

Q. What action did you take after you received your first instructions, what did you do?—A. The executive committee met pursuant to the instructions and I, as secretary, corresponded with the government I think, as far as I recollect with the Minister of Justice, passing on that request.

Q. Yes, what else did you do?—A. I am not able to tell you beyond that. I think that at the same time, I am not prepared to say whether it was between the two meetings of the council or not, probably it was, interviews were had with the Minister of Justice regarding the matter.

Q. Anything else besides that?—A. Not as far as I recollect.

Q. You made no further inquiries nor sought any further information regarding the subject matter of this proposed legislation.—A. What do you mean as the ‘subject matter’?

Q. As to the conditions in regard to the race track.—A. You mean as to getting additional information?

Q. Did you make any further effort?—A. Oh, well, from time to time, we were of course on the alert and endeavouring to get any information that would be useful towards reaching the end.

Q. And you continued corresponding with these States, in the United States?—A. Where we thought it was necessary, but I think there was only one circular letter sent asking for a copy of their laws.

Q. When was the Bill drafted?—A. I could not give you the—which Bill do you mean?

Q. The Bill now before the House?—A. Mr. Miller would have to answer that.

Q. Did you have anything to do with drafting that Bill or not?—A. I do not know where Mr. Miller got his draft.

Q. Did you have anything to do with the drafting of it?—A. No.

Q. Did you draft any Bill which was the basis of that?—A. We have drafted a Bill which was submitted to the Minister of Justice, with the request that it be introduced into parliament.

Q. In what respects does it differ from the present Bill?—A. I do not think it differs substantially, although I am not able to say without having the two drafts before me.

Q. Then I think you have told us that the information that you had got together went before your committee, and you told us that you had that information from the States in regard to legislation, and that you had some newspaper clippings, and that comprised the whole of your information at that time, did it?—A. I think so; we had a memo. regarding the law from Sir Thomas Taylor.

Q. And a great deal is made of the point that the law is unsatisfactory because of the moving about of the bookmakers making a difference as to whether they were offending or not?—A. Because of which?

Q. Because of the fact that the moving about of the bookmakers made a difference?—A. In what respect?

Q. As to whether it was legal or not to make books on the race track?—A. Well, the present state of the law appeared to those of us who were concerned to be ridiculous in view of the fact that it was a criminal offence if a man stood upon a soap box, as the Trades and Labour Council of Canada has chosen to express it, but that it was not a criminal offence if the man moved about.

Q. When did you first become aware that that distinction was made because of a successful effort to apply the betting house sections of the Code to the section dealing with the race track contrary to the intention of parliament?—A. I do not know; I presume—

Q. You understand that now?—A. I understand which?

Q. You understand now what I stated, that it is a fact that the original intention of parliament in 1892, when Sir John Thompson introduced his Bill, was to legalize bookmaking on the race course?—A. I learned that on the statement—at least that statement was made to me personally by the Minister of Justice on one occasion when we were discussing this matter.

Q. When was that?—A. I could not say that.

Q. Some time ago, was it not?—A. Some time ago.

Q. Several months ago?—A. Yes.

Q. Would it be as many as six months ago?—A. Six months would take it back to September?

Q. Yes?—A. I really cannot be accurate, but I think it is quite likely it was.

Q. Then when was this petition to the House of Commons and the Senate prepared?—A. After the meeting of the council in September.

Q. Whom was that prepared by?—A. It was prepared by the executive council.

Q. Was it drafted by you?—A. I am not sure as to who drafted it; I think I had a share in it.

Q. And you are quite prepared to stand sponsor for everything that is in it, I suppose?—A. Well, not necessarily.

Q. Is there anything in it that you are inclined to take back?—A. I really do not know at this moment what is in it. I should have to read it.

Q. We will come to it presently. And a circular letter was prepared apparently, dated at Toronto, on the 15th of October, 1909?—A. Yes.

Q. Bearing your signature?—A. Yes.

Q. To whom was that sent out?—A. It was sent out to the ministers of the Presbyterian Church, of the Baptist Church, of the Church of England, of the Congregational Church, of the Roman Catholic Church, and to the organizations of the Trades and Labour Congress.

Q. The Methodist Church was looked after by Dr. Chown, was it?—A. Yes.

Q. Then this is the circular letter that was sent out. (Reads):

APPENDIX No. 6

THE MORAL AND SOCIAL REFORM COUNCIL OF CANADA.

TORONTO, October 15, 1910.

MY DEAR SIR,—Will you please give your kind, careful and prompt attention to the inclosed Petition Form asking for an important amendment to the Criminal Code bearing upon the business of race-track and other betting, which we are asking Parliament to enact at the coming Session. Please note that the Petition is in Duplicate—one for the House of Commons, the other for the Senate, and that these are attached. They should be kept in their present form, and every individual signing should, by the canvassers, be carefully asked to sign both.

Please observe that only electors are to sign the Petition. We understand the word 'Elector' to apply in the broadest sense, to any man or woman entitled to vote at Municipal, Provincial or Dominion elections. That is, to anyone entitled to vote at all.

Parliament opens about the middle of November. The Petitions, duly signed by all obtainable electors, should be returned to this office, viz., 435 Confederation Life Building, if at all possible not later than 10th November. We will see that it is forwarded in due course to your member of Parliament or Senate, as the case may be, to be presented in the House at the most opportune time. Our campaign is being carefully planned, and we want for the cause every advantage good tactics can yield.

You are asked to arrange for the circulation of this Petition in any way that you may think best. It may either be put in the hands of responsible men for signature at church doors, or by house-to-house canvass, or otherwise, as may be thought wise by you.

Should you want additional copies, for placing in the hands of sympathetic merchants or shop-keepers, we will supply them on application.

In consultation with others in the community, it will do much good if you will interview your member of Parliament before he starts for Ottawa urgently pressing upon him the importance of his actively representing your views in the House by using his vote and influence in every way possible in support of the Legislation sought.

Later on you may be asked to arrange for a number of letters to be sent by yourself or others you can influence, personally pressing the member to support the amendments asked for.

But the one matter urgently requiring immediate attention is the circulation and signing of this Petition.

Greatly appreciating your hearty co-operation,

I am,

Sincerely yours,

(Sgd.) J. G. SHEARER.'

Q. That is the letter. How many of these were sent out, do you know?—A. No, I could not say that.

Q. There must have been a great many?—A. They were sent wherever the petitions were sent.

Q. To every church you told us in the Dominion except those of the Methodist church?—A. The pastors, yes.

Q. And similar letters were sent out by Dr. Chown?—A. I understand so, yes.

Q. Inclosed with these there was a petition?—A. Yes.

Q. With each of these there was a printed form of petition?—A. Yes.

Q. Or two printed forms of petitions rather, one for the Commons and one for the Senate? This is the form of petition is it not (exhibiting document)?—A. If you will let me see it I will tell you? (after examining document) Yes.

Q. These are the petitions?—A. Yes.

Q. (Reads):

'Re Gambling,

To the Honourable,

The House of Commons of Canada,

In Parliament Assembled:

Whereas the Courts have interpreted the clauses of the Criminal Code bearing upon gambling and betting in such a way as to make lawful the negotiating of bets by bookmakers and handbook men, if done on the streets, or if done on race tracks, while they move about, but unlawful if they remain in any building, booth or defined place, thus making the law absurd;

And whereas the States of New York, Alabama, Louisiana, Texas, Missouri, Illinois, California and Washington, and many other as well as Japan, have recently prohibited all such professional gambling leaving Canada almost alone in legalizing this vice, and making her race tracks the rendezvous of gamblers and other social parasites, from all over the continent;

And whereas, our people are in consequence being publicly schooled in gambling and its attendant evils;

Therefore, we, the electors humbly pray your honourable body to enact without delay such amendments to the Criminal Code as will, under adequate penalties and by simple process, make pool-selling, bookmaking and the business of gambling clearly unlawful everywhere and under all circumstances, as well as the publication of information tending to aid in gambling, and in other respects to render the law effective for the suppression of gambling.

And your petitioners, as in duty bound, forever pray.'

Then these petitions were sent out in these numbers, as we have heard here, and I presume they were sent back to you in great numbers?—A. Yes, in considerable numbers.

Q. Signed by a considerable number of people?—A. Yes.

Q. And signed, I suppose, by electors of the municipalities and electors of the provinces as well as by electors of the Dominion?—A. I expect so.

Q. That was the intention?—A. Yes.

Q. And those were sent forward in batches from time to time?—A. Yes.

Q. By you to different members of the House of Commons?—A. Yes.

Q. As you thought they needed prodding up?—A. At least they were sent by an employee in the office under my direction.

Q. Under your direction?—A. Yes.

Q. From time to time, as you thought the members needed a little stirring up?—A. No, not at all.

Q. Well, what was your policy as regards the handing out of these petitions?—A. The plan considered most advisable was to have them sent to the members of the House shortly before the Bill to deal with the matter was to be introduced.

Q. And to keep a sort of continuation of them, so that every day or two there would be a few brought up in the House; was that it?—A. Well, substantially, I think.

Q. Substantially, and did you tell any of these members whom you were sending these petitions to that they were signed by a number of people who, while they were electors in one sense, municipal and provincial electors, were not electors for the Dominion at all?—A. I sent no communication with them whatever.

Q. Was it not evident that the members of parliament reading these petitions would suppose that the people who signed them were electors for the Dominion?—A. I do not think so.

Q. You do not think so?—A. No.

Q. You do not think that would be the meaning that would be taken by anybody reading that petition, 'we the undersigned electors,' addressing a communication to

APPENDIX No. 6

the House; you do not think, on your oath, that that would be taken by a member receiving it to be that they were electors for the Dominion of Canada? Do you swear to that?—A. To be frank, Mr. Moss, that is the first time that question has been raised in my mind.

Q. Well, Dr. Shearer—?—A. I did not even think of it.

Q. Why did you put that in your letter: 'We understand the word "elector" to apply in the broadest sense to any man or woman entitled to vote at municipal, provincial or Dominion elections. That is to any one entitled to vote at all.' Why did you put that in your letter?—A. Well, it was necessary to have some clear understanding as to who should sign. It is not easy to give instruction for the signing of petitions.

The CHAIRMAN.—Mr. Moss, will you allow me to interrupt you for one moment? Does not the question answer itself? The letter sent out with the circular says: 'Any man or woman entitled to vote at municipal, provincial or Dominion elections.' Now evidently the intent was to have women sign it as well as men. Therefore, members of the Dominion parliament would not be deceived in that way because they knew that women would have no right to vote at a Dominion election. That letter shows, I think, that there was not the slightest attempt to deceive anybody.

Mr. Moss.—I am sorry I do not agree with you, Mr. Chairman. That explanation may satisfy you.

The CHAIRMAN.—It satisfies me most thoroughly.

Mr. Moss.—According to my reading it does not satisfy me. I may be wrong, but I think it requires more explanation than that.

Mr. MONK.—Is it your contention that there were many led to sign these petitions who were not electors?

Mr. Moss.—That is what the evidence shows.

The WITNESS.—Who were not electors?

Mr. Moss.—Not electors for the Dominion.

Mr. MONK.—Would you infer from that circular that the petition was only to be signed by electors of the Dominion?

Mr. Moss.—No, but I would consider that a member receiving the petition would be led to infer that they were signed by electors of the Dominion.

Mr. MONK.—But if the member saw that there were women's names on the petitions he would know that they were not qualified electors.

Mr. Moss.—Well he might, but there are a great many voters—

Mr. MONK.—I thought you contended that there were many bogus petitions, so to speak.

Mr. Moss.—As Mr. Counsell observed to me, a woman might sign her initials.

The CHAIRMAN.—If the letter asked that women should sign by their initials, you might think there was an attempt to deceive, but it does not.

Mr. COUNSELL.—The persons signing do not sign 'Mrs.' or 'Mr.'

Mr. MONK. A woman is an elector in the Dominion in the sense of being a municipal elector.

Mr. Moss.—I do not wish to press the point, but it does seem to me that anyone in the House receiving that petition stating: 'We the undersigned electors humbly pray your honourable body,' would suppose that that petition was signed only by electors entitled to vote for the House of Commons. Now, it may or may not be that if some woman signed her name as Jane, or Mary or May, the member would say: 'Well, there is a woman who has got on this petition.'

Mr. MONK.—I thought perhaps there was a contention that the petition had been signed by people who were not entitled to sign, because you know every British subject can petition parliament, whether an elector or not.

Mr. Moss.—Quite so.

Mr. MONK.—And every foreigner in the British Dominions.

Mr. Moss.—I do not say that the petition was signed by people who were not

1-2 GEORGE V., A. 1911

entitled to sign it but by people who were represented to be what they were not and they were invited to make that misrepresentation to the House of Commons.

Mr. MARTIN.—I do not think the petitions had any effect on individual members.

Mr. MOSS.—I should think not.

The CHAIRMAN.—I think that is an insinuation that ought not to be made.

Mr. MOSS.—I do not make that as an insinuation, I make that as an assertion.

Mr. MONK.—It is the most effective way of moving parliament by petitions.

Mr. MOSS.—Quite so.

Mr. MONK.—Every great reform in England has been accomplished by petitions.

Mr. COUNSELL.—Spontaneous.

Mr. MONK.—No doubt.

Mr. MCCOLL.—Not manufactured.

Mr. MONK.—It is, of course, a serious breach of the privileges of parliament to manufacture a petition.

Mr. MOSS.—And it seems to me that it is a serious breach of the privilege of parliament to represent that petitions are signed by persons who do not occupy the status they are said to occupy.

The CHAIRMAN.—Clearly that was not done in this case.

Mr. MOSS.—I disagree with you there, sir, of course the other members of the Committee may or may not take the same view.

By Mr. Moss:

Q. Then, Dr. Shearer, those petitions being signed and put in that way there was no other communications sent out to those religious bodies other than that circular letter?—A. There were none sent by me as secretary of the council.

Q. Were there any sent by anybody else with your knowledge?—A. I do not know what Dr. Chown sent.

Q. Were there any sent by you in your individual capacity?—A. What do you mean by 'individual capacity'?

Q. By you as a man, personally?—A. None that I recall, but I would not like to say that there were none.

Q. Have you any other correspondence to produce in regard to this matter with these different bodies?—A. No.

Q. You gave them no information other than that which is contained in this letter?—A. No.

Q. What has been your experience of race-track gambling?—A. Personal experience?

Q. Yes?—A. It is confined to the one day that you and I went there.

Q. To that one day that Mr. Raney and you went there, you mean?—A. I saw you there too.

Q. Yes, I saw the ice races, that is since this Bill was introduced. Now, that is your only experience on the race track. Did you make a study of this subject before your appointment to the secretaryship of the Moral and Social Reform Council of Canada?—A. Not more than any intelligent citizen.

Q. You have made no investigation at all into the question, I suppose, have you?—A. Not specially, no.

Q. You never made any more investigation than the ordinary citizen?—A. No.

Q. And your knowledge was derived practically from newspaper articles, that is so, is it not?—A. And in conversation with various individuals.

Q. With individuals particularly qualified to speak on the subject?—A. I would not like to say as to that, I could not particularize individuals as far as that goes.

Q. But you never made any investigation?—A. No, no special investigation, I have told you that.

APPENDIX No. 6

Q. After your appointment, when preparing this report, you made no further investigation than what you have told us?—A. Except to consult with any one who might be expected to know something about it, those who knew about the evils of gambling on the race track, such as police officers.

Q. Who did you consult with?—A. I have talked from time to time with the police officers on the Toronto force, and with the head of the Detective Bureau.

Q. Inspector Duncan?—A. I do not know that I discussed that particular question with Inspector Duncan until quite recently.

Q. And with Inspector Archibald.—A. With Chief Inspector Archibald.

Q. I suppose you discussed it quite frequently with him?—A. Not frequently, but I have discussed it with him.

Q. He has always been particularly strong on this subject?—A. I have not known him to be connected with it so much.

Q. Did you become connected with him immediately after you became connected with this movement?—A. Since I have been living in Toronto I have known him more or less.

Q. He was a very strong ally with you in the Lord's Day Alliance Work?—A. He was always sympathetic.

Q. And he is a very energetic officer when his sympathy is aroused?—A. I found him a very reasonable officer.

Q. And you found him sympathetic when you took up this race-track business?—A. Yes.

Q. Did you consult Chief Grassett at all, the Chief of the Toronto force?—A. I do not recollect having done so.

Q. Did you consult anybody else besides Inspector Archibald?—A. You mean police officers?

Q. Yes?—A. I have discussed the matter with Deputy Chief Stark, but only incidentally.

Q. You never went into it seriously with him?—A. I have not discussed it very seriously or very much with any of them.

Q. You did not think it was necessary or advisable before starting out to flood the country with these petitions, to make any inquiries as to the truth or otherwise of these allegations you were making?—A. I believe any statements that I made can be proved.

Q. I am not asking you that, you took chances, you made no inquiry whether they were true or not?—A. I have said I believed them to be true and I took no special pains beyond what I have indicated.

Q. You took chances, you took no adequate means of ascertaining the truth or otherwise of those allegations?—A. You may think they were not adequate. I have what I think sufficient proof.

Q. You have told us what you have, newspaper clippings and conversations with a couple of police officers?—A. I did not say those were the only conversations I had.

Q. Did you have conversations with any one else?—A. I cannot recall them now.

Q. Did you consult any one else seriously?—A. I could not swear I did not.

Q. And you could not swear that you did?—A. I cannot particularize anyone.

Q. You did not have any very serious conversations or you would remember it?—A. Possibly, but naturally a man engaged in work like mine would discuss questions with anyone that he ran up against from time to time.

Q. You made no investigation other than you have told us as to the conditions elsewhere?—A. Elsewhere in Canada?

Q. Elsewhere in Canada or elsewhere in the United States?—A. In visiting the different cities in the ordinary course of my regular duties I have conferred with committees or officers on the subject.

Q. With committees of clergymen?—A. Sometimes clergymen and sometimes laymen.

1-2 GEORGE V., A. 1911

Q. Where did you have any consultations of that description??—A. I should say in any place that I was visiting, and I suppose I visit all the important cities in the Dominion every year.

Q. You visit all the important cities in the Dominion every year?—A. Yes.

Q. Can you tell me any people you consulted with?—A. I do not think I could name them.

Q. You do not think you could name them?—A. No.

Q. It was only casual conversations with them?—A. Yes.

Q. And then you are not familiar with the conditions in New York State, are you?—A. No.

Q. You know nothing about them?—A. No.

Q. Nothing at all. Do you know anything about the conditions in any of the other States?—A. Not personally.

Q. Did you take any means of finding out?—A. Not other than to get copies of the laws.

Q. And you made no inquiries, of course, as to the conditions in England or on the continent?—A. I have read such literature as I could lay my hands on on the subject, such as Rowntree's book on gambling and betting, Ralph Neville's 'Light Come, Light Go.' Runciman's very important article on the 'Ethics of the Turf,' which would be very interesting and profitable reading for yourself at any time you have time to read it. Then I read some quotations by Herbert Spencer and Charles Kingsley.

Q. I do not suppose that many of the members of this Moral and Social Reform Council that met on September 10, 1909, knew much about the race track, did they?—A. I could not speak for others.

Q. Would you think that the Lord Bishop of Toronto, for instance, was particularly qualified to speak on that subject? Clergymen, as a rule, are not in the habit of attending the race course, are they?—A. I cannot speak for other clergymen, sir.

Q. Do you not know as a fact?—A. I do not think they do.

Q. It is a very rare thing for them to do?—A. I suppose.

Q. And you would not expect them to have any very great knowledge of the conditions prevailing on race tracks?—A. A man who does not attend the race track may know a great deal about it.

Q. Was there any member of that committee whom you can point to who has made a careful study of the subject?—A. I cannot speak for others.

Q. Well, there was none there with any knowledge of the subject that you can speak of?—A. I have just said I cannot speak for the others. I do not know what they knew of the subject.

Q. Or whether they showed they knew anything special about it?—A. In advance?

Q. Do not let us waste time. You know perfectly well that they were not posted on the subject, do you not?—A. I do not.

Q. You do not?—A. No.

Q. Can you tell us anybody that was posted?—A. I did not say I knew any man that was posted. I said I did not know any one who was not posted.

Q. The same thing, I suppose, would apply to the meeting of your League in 1908, at which the original resolution was passed?—A. Are you referring now to the Presbyterian Board, or to the Council, or to the Moral and Social Reform Council?

Q. They look confusing; I am not quite sure which one I am referring to. When you quote the names so glibly as that I cannot remember, but I think you called it the Moral and Social Reform League of the Presbyterian Church?—A. The Moral and Social Reform Board of the Presbyterian Church, is that the one you referred to?

Q. Yes; the same thing would apply to them, I suppose?—A. I am not prepared to say. Mr. Raney is a member of that board, and he has shown that he knows a good deal on the subject.

Q. Well, that is a matter of opinion. He knows something about it since he

APPENDIX No. 6

heard the evidence, but I do not know how much he knew before. Mr. Raney may be particularly well up in the law, but did he know anything about it practically before he came here?—A. I am not prepared to say that. You can judge as well as I.

Q. Why was it decided to draw the line between professional and amateur betting, if I may use the expression 'amateur betting'?—A. Because that is the line that has been drawn, I think, as far as my knowledge goes, all down through the history of legislation on the subject in England and here.

Q. You think that is the line that has been drawn all through the legislation that has been passed, as far as you know?—A. As far as I know.

Q. Well, that is not the line that has been drawn in England, is it?—A. So far as I know, Mr. Moss; but I am not a lawyer.

Q. Are you familiar with this Act of 1896?—A. To which?

Q. The Act of 1896?—A. The English Act?

Q. The Act passed in England?—A. No; I have not seen it.

Q. That Act provides that 'any person frequenting or loitering in streets or public places, on behalf either of himself or of any other person, for the purpose of bookmaking, or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets, shall,' and so on, 'be liable,' etc. Now, that does not seem to be based on the distinction between professional and amateur betting, does it?—A. Does it not deal with the work of a handbook?

Q. No?—A. I have not heard the language until you read it now.

Q. And then there is a provision: 'Nothing contained in this Act shall apply to any ground used for the purpose of a race course for racing with horses, or adjacent thereto, on the days on which races take place.' You were quite unfamiliar with that statute when you began your campaign?—A. Yes.

Q. And when the Bill was framed?—A. Yes.

Q. You preferred to go to the State of New York for the source of inspiration rather than to England?—A. No, I do not think I did.

Q. Or you did not know there was any law to be got in England at all?—A. I could not say that.

Q. Are you prepared to state whether it is wiser to legislate in the way they have in England or in the way they have in New York State?—A. I have no hesitation in saying that I do not approve of all English legislation.

Q. I am not asking you that. On this particular subject, I am asking you whether you are prepared to say—A. Well, on this subject—

Q. I beg your pardon?—A. On this subject—

Q. I am asking you the question, do you prefer the New York legislation to the English legislation? You know enough about it to have an opinion one way or the other?—A. I have no hesitation in saying I prefer the legislation of New York in dealing with this matter of bookmaking on the race track.

Q. I see. You are prepared to give that opinion off-hand, although you have never heard of the English statute until this minute?—A. Of that statute? No.

Q. Well, does that statute make any difference to your mind at all?—A. No, I do not think it does.

Q. I see.—A. We have to deal with conditions in Canada different to the conditions in England.

Q. Conditions in Canada which are different than those in New York State?—A. To some extent.

Q. You told us you did not know anything about the conditions in New York State?—A. Oh, well, so far as personal investigation of the race track is concerned.

Q. Do you not think, before you come here giving evidence on oath on this matter, that you ought to have some personal knowledge?—A. Well, Mr. Moss, I have been learning a great deal of the subject of race tracks and gambling on race tracks since I came to this room.

Q. I suppose you do not pose here as being any better qualified than any of the

1-2 GEORGE V., A. 1911

members of the committee who have been sitting here hearing the evidence to give an opinion on the subject?—A. No, sir.

Q. And before you heard this evidence you practically knew nothing about the subject at all?—A. Well, I would regard that as a pretty sweeping statement.

Q. Is it not pretty nearly true?—A. I do not think so.

Q. You think not? Will you tell us how much you knew? They are not very well satisfied with their Act in New York state, are they?—A. I understand they are endeavouring to amend it at the present time.

Q. There are two or three Bills being brought in to amend it, are there not?—A. I have seen that stated in the press.

Q. Have you seen the Bills?—A. No, I have not seen the Bills.

Q. You have not seen Mr. Perkin's Bill for instance?—A. No.

Q. Well, I will put this in with the permission of the committee. This is Bill No. 300 of the state of New York, and it proposes that:—

"Any person who engages in pool selling, or bookmaking, orally or otherwise, at any time or place or in any other way conducts, aids, or promotes gambling in connection with or based upon horse races, actually or ostensibly; or any person who keeps or occupies any room, shed, tenement, tent, booth, or building, float or vessel, or any part thereof, or who occupies any place or stand of any kind upon any public or private grounds within this state, with books, papers, apparatus or paraphernalia for the purpose of recording or registering bets or wagers or of selling pools, and any person who records or registers bets or wagers, or sells pools, or makes books, orally or otherwise, or lays or publishes odds orally or otherwise, or in any other way conducts, aids or promotes gambling, upon the result of any trial or contest of skill, speed or power of endurance, of man or beast, or upon the result of any political nomination, appointment or election; or upon the result of any lot, chance, casualty unknown or contingent events whatsoever; or any person who receives, registers, records or forwards or purports or pretends to receive, register, record or forward, in any manner whatsoever, any money, thing or consideration of value, bet or wager, or offered for purpose of being bet or wagered, by or for any other person, or sells pools, upon any such result; or any person who, being the owner, lessee or occupant of any room, shed, tenement, tent, booth or building, float or vessel, or part thereof, or of any grounds within this state, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purposes, or therein keeps, exhibits or employs any device for the selling of such pools, or becomes the custodian or repository for gain, hire, or reward, of any money, property or thing of value, staked, wagered or pledged, or to be wagered or pledged upon any such result; or any person who aids, assists or abets in any manner in any of the said acts which are hereby forbidden is guilty of a misdemeanor and upon conviction is punishable by imprisonment in a penitentiary or jail for a period of no more than one year.'

And then here is another Bill introduced by the same gentleman making it a crime to keep a room, shed, and so on, 'or any other enclosure or place to be used for gambling or in which gambling is done,' with the owner's consent, or is used for making 'any wagers or bets made to depend upon any lot, chance,' and so on. You were not familiar you said with these Bills?—A. I have not heard them read before. Mr. Moss.

Q. That is the State of New York felt they had to go the whole way and prohibit betting altogether, if they were going to make the present law effective?—A. Book-making and pool selling at any rate.

Q. And gambling of all kinds. Then they have also gone to Washington, have they not, to get from there legislation that the New York people have not given them?—A. I do not know that, sir.

APPENDIX No. 6

Q. Did you not read the report on the Birkett Bill, the hearing on the Birkett Bill?—A. The one containing Brolaski's statement, yes, I read that.

The CHAIRMAN.—The Bill they are seeking now is to prevent the transmission of news through the Interstate News Company, is it not?

Mr. MOSS.—Yes.

The CHAIRMAN.—They are asking Washington to do what New York State would not do.

Mr. MOSS.—They are seeking to impose it by federal legislation?—A. Yes.

The CHAIRMAN.—To do what the New York State Legislation would not have jurisdiction to do.

Mr. MOSS.—Yes.

By Mr. Moss:

Q. Did you ever see these documents (documents produced) I do not mean these identical ones, but documents similar to these?—A. As to one, (1), no, sir. As to the second one, (2), I have seen a copy, but I have not seen the printed one before.

Q. Did you ever see that typewritten document (3)?—A. I am not sure, I have not seen it in this form but I have seen a document that looks something like it. (examines document). No, I think not, there is some information here I have not seen.

Q. This (3) is a document that was sent out by Dr. Chown, as I am informed with these letters, and which apparently is a kind of draft of a sermon which he would like his clerical brethren to preach.

The CHAIRMAN.—That was done throughout the State of New York. I think, when the agitation was in progress down there.

Mr. MOSS.—That does not make it a proper thing to do in Canada.

The CHAIRMAN.—I do not think it is improper.

Mr. MOSS.—No, but I do not think that we have to go to New York for an example, if it were done there it does not make it proper.

Mr. MONK.—What are those documents?

Mr. MOSS.—They are circular letters. Dr. Shearer says he cannot speak about them but I am going to put them in.

Mr. BLAIN.—The documents refer to what?

By Mr. Moss:

Q. This letter commenced 'Dear Brother,' that is Dr. Chown's signature, is it not?—A. I think it is, Mr. Moss.

Q. There is no doubt about it?—A. I think not.

Mr. RANEY.—Is that letter addressed to anyone?

Mr. MOSS.—No. The letter is as follows:—(Reads)

‘THE METHODIST CHURCH DEPARTMENT OF TEMPERANCE AND MORAL REFORM.

September 27, 1909.

DEAR BROTHER,—At this crisis in our country's life, in relation to race-track gambling, you will no doubt want to say something about it either by way of an address or sermon. I have pleasure in enclosing to you a statement of facts in relation to it upon which you can rely.

I trust you may be successful in moulding public sentiment so as to sustain the effort we are about to make, by way of a petition campaign, and also in the Parliament of Canada, to obtain proper legislation.

Very sincerely yours,

(Sgd.) S. D. CHOWN.

Then the other is a printed letter (2), a circular that was sent out with a duplicate petition, as follows:—

1-2 GEORGE V., A. 1911

(Document filed as follows.)

‘THE METHODIST CHURCH DEPARTMENT OF TEMPERANCE AND
MORAL REFORM.

11th October, 1909.

DEAR BROTHER,—Enclosed you will find duplicate petitions, with the exception that one is addressed to the Senate and the other to the House of Commons in Canada, requesting amendments to the Criminal Code prohibiting race track gambling and the publication of betting intelligence. The petitions should be kept in their present form and both should be signed at the same time.

You will observe that the petition is to be signed by electors. It matters not whether they have the municipal, provincial or Dominion franchise, so long as they have the standing of electors in the country.

I am sure you will not need to be urged to push this matter with all strength and diligence. The Temperance and Moral Reform Committee of your official board should have the responsibility laid upon them to get all the signatures they can, so as to impress parliament with the earnest desire of the people. Your Epworth League might also be utilized in this connection.

Let me suggest further that your official board pass a resolution upon this subject and forward it to your representative in the House of Commons, and that you get a number of your leading men to write to him urging his favourable consideration and action in the matter. If possible, take a number of influential men with you and interview the member before he leaves for Ottawa to attend the session.

When you have secured all the names you reasonably can, will you kindly return the petition, signed, to this office? Please endeavour to have it here not later than the 15th of November. When forwarding it, kindly let me have the name of your representative and the riding in which you live. We will see that the petitions are forwarded to the members of the House of Commons and the Senate of Canada in due course.

It should be made clear that we are not opposing horse-racing in itself, but only the gambling it stimulates.

Should you require additional copies, we will gladly supply them.

Greatly appreciating your co-operation, and wishing you every success in in this endeavour, I am,

Sincerely yours,

S. D. CHOWN,
General Secretary.’

And there is this typewritten document (3), which as I say is apparently a sketch of a sermon which is intended to be preached.

Mr. McCOLL.—Does he say it contains statements of facts.

Mr. MOSS.—It does not say that.

Mr. McCOLL.—The letter stated certain alleged facts.

Mr. MOSS.—Yes, the statement is very far from being correct.

Mr. McCOLL.—It purports to be a statement of facts.

Mr. MOSS.—It purports to be a statement of facts.

Mr. STRATTON.—I suppose it is notes that might be amplified.

Mr. MOSS.—Oh, yes.

Document filed as follows:—

RACE TRACK GAMBLING.

That race track gambling is an evil few will deny who are acquainted with the results that flow from it. There are many forms of gambling prevalent in

APPENDIX No. 6

Ontario; but the special and most popular form of gambling known in our province is that of betting on horse races.

Prevalence of Race Track Gambling.

In Ontario, especially in Toronto, all classes of society are affected by the craze for betting on horses. An investigation held at an actual race meet in Toronto last October revealed the fact that 85 per cent of all present were in the betting ring engaged in betting on the races.

The greatest race meet in Ontario is that held under the Ontario Jockey Club for two weeks in the month of May. The testimony of one who has been present at every meet for fourteen years is that not less than 65%, and probably more than that, of all present at the Woodbine bet on the result.

Race-track gambling in Toronto, and our larger Ontario cities, goes on for twelve months in the year. It is carried on by means of hand-books, which are illegal, but are nevertheless prevalent in Toronto, and exceedingly hard to suppress. Through these hand-book men, young men, boys, and young women are able to put up bets on any race on any track in America.

A hand-book is simply the record of bets kept by some man who takes the bet or money put up; who gives a slip for a receipt with name of horse on which the bet is to be placed; time and place of race. The odds at which the bet is taken by the handbook men will be those recorded in the *Chicago Daily Racing Form*, published the day after the race is run.

The pedlars of facilities for betting haunt our factories, large stores, prominent hotels, and every place where it is possible to reach young people. Some books are made on sums as low as 25c., in order to catch the very young.

Race track gambling, as carried on in the last two years in Ontario, has adjusted itself to the financial standing of its patrons; so that all sums, from even less than \$1 upward, have been catered to.

It is probable that in a city like Toronto, taking twelve months of the year, as much money is bet on horse races outside of Canada as is put up at the Woodbine during its whole meet. Throughout the United States, within the last three years, Ontario has come to have the name of being the home of heavy plungers on the American tracks. It is conceded that no city in the United States of a population of 400,000 does as much race-track gambling as is done in the city of Toronto.

Sources of Information.

There are papers reaching Ontario from the United States that are given almost altogether over to racing information. One such paper from New York had in it recently 24 columns of racing information. Another publication from Chicago, *The Chicago Daily Racing Form*, has a very large circulation in Toronto. It is given over entirely to race-track information. It quotes the odds on every horse at every race meet of any importance in America. The odds quoted in *The Chicago Daily Racing Form* are accepted by all the book-makers in America and hand-book men. This publication can be purchased at any of our leading hotels. A recent visit to the billiard rooms of the city of Toronto revealed a large number of young men busy studying this publication. In addition, several of our daily newspapers in Ontario publish the odds on horses at the various large race meets.

Legal Aspect of Racing in the United States.

Law is found briefly in sections 227 and 235 of the Criminal Code of Canada. These two sections are not as sweeping as a number of the State laws, but they are fairly full. Through the influence of the Racing Association of Canada a saving clause was inserted at the foot of section 235. This saving clause was intended to legalize book-making on the tracks of a Racing Association. It is to

be noted, however, as a matter of court procedure, that in the case of *Rex vs. Saunders* it was held by the judges that the saving clause at the foot of 235 did not apply to section 227, which defines a betting house or place and that therefore under 227 of our Criminal Code, gambling on race tracks in Canada was illegal, as the bookmaker who received the bet occupied a 'place' as defined by section 227 of the Criminal Code.

The next case coming before the court was that of *Rex vs. Moylett*. Moylett was a bookmaker. His defence was that although he was a bookmaker, and had been engaged as such, he did not come under the Criminal Code for the reason that in the practice of bookmaking he had not occupied a 'place,' but had kept moving around from one spot to another. It was held by the judges that the Criminal Code of Canada did not apply to the business of bookmaking where the bookmakers did not remain stationary.

Such a state of Criminal Law belongs to the comic opera. Any writer of fiction would have been considered a lunatic had he suggested such a thing in the worst yellow novel of the day; but the sober truth is that this is the real position of the Criminal Law of Canada as it applies to race-track betting.

Legal Aspect in the United States.

In New York State, which is the home of the multi-millionaire race-track devotees, Governor Hughes had the Hart-Agnew amendment passed. This amendment prohibits all pool-selling or bookmaking at any time or place in the State of New York. In this matter Governor Hughes took his political life into his hands. He had arrayed against him all the tremendous influence of the racing associations of the United States; but by taking the platform himself and canvassing the whole state, he succeeded, and the amendment is now a part of the laws of New York State.

State of Missouri.

In 1907 the General Assembly of the State of Missouri passed an amendment to the Criminal Code prohibiting bookmaking, pool-selling, registration of bets, or receiving as custodian of money wagered upon the courtesy of skill, speed, power of endurance of man or beast. This enactment prohibits the use of the telephone or an apparatus or device of any kind whatsoever for the purpose of communicating information to any place in the State or any other State. The penalties are heavy.

New Jersey.

This State was so bothered by the backwash of the gambling element from New York that they made an amendment to their constitution prohibiting pool-selling and bookmaking within the State.

State of California.

In this State there is winter racing carried on; the two main points being San Francisco and Los Angeles. A vast sum of money is invested in the business. On January 21, 1909, the Assembly of the State of California passed an amendment to the Legal Code prohibiting pool-selling, bookmaking, bets and wagers. The amendment is very full, the punishment being one year in the State penitentiary.

State of Louisiana.

This State was the centre of winter horse-racing for the Eastern and Middle States. New Orleans was a great mid-winter race centre. In 1908 the Assembly of the State of Louisiana passed an amendment to prohibit gambling on horse races by the operation of betting books, French mutual pooling devices, auction

APPENDIX No. 6

pools, or any other device, and to provide penalties for the violation of the provisions thereof. Fine and imprisonment is provided for violation.

Results from these Recent Amendments.

In *New York State*, where formerly racing began and was carried on throughout the whole summer, this year but a very few of the larger races will be run. The racing people of New York admit that when Governor Hughes prohibited gambling on the race tracks, he killed racing. New York finds that racing as a sport cannot stand alone like any other legitimate sport, but, in order to exist, must reap a large revenue from the gambler and his dupes.

In the *State of Missouri* racing became so absolutely rotten that it fell entirely into the hands of gamblers. The State was forced to pass the amendment prohibiting gambling on the race tracks. The result is that in Missouri horse racing is at an end.

California.—Here the racing associations had properties worth more than three million dollars. In April, 1909, the law prohibiting bookmaking and gambling on the race tracks of California went into effect. It has absolutely wiped out horse racing in California. The race men admit that until the law is changed they cannot carry on horse racing in the State, for the reason that it is impossible to carry it on without the revenue from the bookmakers and gamblers.

Louisiana was the centre of winter racing. The legal enactment that prohibited gambling and bookmaking had the same result here as in other States. Racing has been wiped out.

The racing associations of the United States were ready to put their business of winter racing into the State of Texas. This would have brought thousands of tourists to that State. It would have helped the hotels, etc., but the Assembly of Texas hurriedly passed an amendment to the Criminal Code prohibiting gambling and bookmaking, with the result that the association did not open a race meet in Texas.

1. In Canada we need an amendment to our Criminal Code prohibiting all betting on race tracks.

2. We need, like the State of Missouri, an amendment prohibiting the sending out or receiving gambling intelligence, such as odds on horses.

3. We need the denial of His Majesty's mail to such papers as publish the odds and other special gambling information and *advertisements* of toots and tipsters.

4. The churches, schools, colleges, press and organized societies need to combine to awaken the public conscience upon the true state of this monstrous evil.

5. It is said that if gambling privileges are abolished racing will disappear. Be it so. A thing has ceased to be a sport when it has for its foundation the sin of gambling.

6. The sport of racing has been said to improve the breed of horses. More than 50 per cent of the horses that start to train break down. A horse's racing days are over at four years old. He is then good for nothing, and can be picked up at a very small price. If a driver on the public streets used a whip the way jockeys are permitted upon a race track to lick these high strung animals, the driver on the street would be sent to jail.

Said a prominent criminal lawyer within the last sixteen months: 'The Woodbine Race Meet is the mother of iniquity in the city of Toronto.' Said a very prominent police official, one of the most prominent in Ontario: 'I believe that the race meet at the Woodbine does more in those two weeks to unsettle our young people in Toronto in matters of honesty than anything else that occurs for eleven months and a half.'

1-2 GEORGE V., A. 1911

There is hardly a State in the Union where the Chief Executive of the State would go officially and open a great race meet where gambling and bookmaking is carried on. Last year the Lieutenant Governor of Ontario and the Governor General of the Dominion both attended the Woodbine.

The gamblers and all the race-track scum of the United States, shut out from the great racing States of the union, will be in Canada this year to follow the races first at the Woodbine, then Hamilton, then Fort Erie, then Windsor.

If churches mean anything in Canada, it is time we got together on this question.

The Toronto *Evening Telegram* of June 5, 1909, publishes the following startling statistics regarding the last meet of the Ontario Jockey Club in the city of Toronto:—

Attendance.. . . .	168,000
Amount bet.. . . .	\$2,600,000
Expended by bookmakers.. . . .	115,000
Car fare.. . . .	12,500
Admission (members).. . . .	5,000
Hacks and autos.. . . .	10,000
Racing dope.. . . .	10,000
Other expenses of meet.. . . .	346,115

The foregoing is only the mercenary side of the question. No language can attempt to give an adequate idea of the disastrous consequences physically, intellectually, morally and religiously resulting from this university of gambling and crime-producing sink of iniquity, which has permeated all classes of society in one form or another, irrespective of sex, age or social distinction.

A look over the list of 44 bookies, who were prosecuted in the Toronto police courts, will show that four-fifths of that number were from the United States. In the presentment of the grand jury of this city at the recent sessions Ontario was characterized as a paradise for gamblers, because of legalized betting at the Ontario Jockey Club Meet.

By Mr. Moss:

Q. Then, Dr. Shearer, you do not pose as an expert in the administration of the criminal law?—A. In the administration of the criminal law?

Q. Yes?—A. No, I have had considerable opportunity of observing its administration in all parts of the country.

Q. Well, do you pose as an expert, or do you consider yourself an expert, I do not intend to use the word 'pose' in an offensive way.—A. It depends upon what you mean by an expert, Mr. Moss.

Q. Do you consider you have more knowledge on the subject than the ordinary man on the street?—A. I should have.

Q. Why?—A. Because I have had something like 10 years' experience.

Q. Of enforcing Sunday legislation?—A. Not 10 years in that, 7 years and some months in it and some 2 years in my present work, and that necessarily has led me to give a great deal of attention to the administration of the law.

Q. Then do you consider that your opinion on the subject would be entitled to weight beside the opinion of men like Chief of Police Grassett of Toronto, Mr. Carrington and Mr. Pender?—A. Well, you have had the opinion of Inspector Duncan and Chief Sleman as to the extent of Chief Grassett's knowledge of the details of the enforcement of the law against gambling, so that you will not need my opinion.

Q. I beg pardon?—A. I do not think the opinion of Chief Grassett's qualifications would be of either value or interest.

Q. I want to know whether you are prepared to dissent from his opinion on the possibility of enforcing the law relating to gambling?—A. If you will read me his opinion I will tell you.

APPENDIX No. 6

Mr. MONK.—Do you think it is our duty to take evidence in the abstract as to the morality of betting, whether it is right or wrong?

By Mr. Moss:

Q. No, I was going to ask the witness of the practicability of enforcing the law which he has put before the country. Chief Grassett is asked by Mr. Blain at page 153 of the evidence:—

‘Q. Would the passage of this Bill that has been referred to the committee, be, in your opinion in the interests of morality in the city of Toronto?—A. It is a large question, if betting could be suppressed altogether, absolutely, privately and publicly, I would be in favour of it as distinctly as I could express myself, but I would be rather inclined to think that if the profession of bookmaking was abolished on the race track some substitute would be devised to take its place and the last state of that man might be worse than the first.’

What do you say as to that? Now, what do you say as to that, or have you got any opinion; do you feel yourself qualified to express an opinion on that?—A. I would attach quite as much importance to the opinion of men of more recent experience in the details of law enforcement as I would to the opinion of one in the position of chief in a metropolitan centre like Toronto, where necessarily he does not and cannot give very much attention to the detail work.

Q. You are referring, I suppose, to Mr. Duncan, are you?—A. Yes, and others.

Q. What others?—A. Take Staff Inspector Kennedy and Chief Inspector Archibald.

Q. Kennedy was not here?—A. Well, I was simply speaking of him from his position, that is, he is the staff inspector.

By Mr. Blain:

Q. Doctor, do you see any moral distinction between betting with a bookmaker and private betting on the track?—A. Moral distinction?

Q. Yes?—A. I do not think so.

By the Chairman:

Q. You do not think, Doctor, that one is an evil you can combat, and the other is an evil you cannot combat?—A. Yes. Private betting, if you thought it wise to legislate prohibiting it, could hardly be suppressed by law from its very nature, but the business of betting can be suppressed.

By Mr. McColl:

Q. But you would be inclined to prohibit private betting if the law could be enforced? Do I understand that?—A. I think so, yes. Of course, I think the law could be enforced, so I am not in favour of such a law.

By Mr. Moss:

Q. Now this is what Inspector Duncan said when he gave his evidence here about that. I asked him. (Reads): ‘Q. I was asking you about the means of distinguishing between an amateur and a professional better. How are you going to distinguish? You have not thought that out, have you?—A. No, I have not, I have not been asked to.’ So you are not going to set that up against Chief Grasett. Now, let me see what your other standby says. He was asked: (Reads): ‘Did you ever hear the paragraph from Lord Halsbury’s judgment quoted where he says about that matter in *Powell vs. Kempton Park Race Course Company*? ‘I am not certain that I appreciate the distinction which I observe is sought to be drawn between what is called professional betting men and other men who bet. In respect of games which people play for amusement or pay, the distinction is intelligible; but all people who bet for money mean to win money and whether it is for the sake of a living or for the sake of add-

ing to the money which the bettor already possesses, seems to me an altogether illusory distinction.' Will you agree with that?—A. I am thoroughly loyal. I know that description is what the Superior Court says. That description is to be found at page 224. Then you heard what Mr. Carpenter of Montreal said, did you, on that subject?—A. I do not recall it, Mr. Moss.

Q. You remember his giving evidence here. The evidence which I want to draw your attention is to be found at page 128 (reads): 'Q. And in your opinion the doing away with the bookmaker as long as the bookmaker is on the chartered track under the supervision of a jockey club, it would not improve matters?—A. I do not think it would.' Then above that (reads): 'Q. Now assuming, which I believe to be the case, reading the statement in *Hansard*, that this Bill does not prevent, does not contemplate the prevention of betting between individuals on the race course, assuming that to be the case, do you see any difference between two individuals on a race track betting and between an individual and a bookmaker who is looked after by a jockey club. Is there any difference?—A. Personally I do not think it would improve the situation.' Then Mr. Carrington, you will remember gave evidence to the same effect?—A. Yes.

Q. Do you recollect his evidence and that of Mr. Pender?—A. Yes. I suppose it is to be recollected there that those men represent private detective agencies that are regularly and very generally employed by the jockey clubs all over the country.

Q. That observation is justified as to Mr. Pender, but not as to Mr. Carrington. You will recollect that he had no connection whatever with a jockey club.

Mr. RANEY.—Quite the contrary.

Mr. MOSS.—And Carpenter, of course, is the chief of police of Montreal.

Mr. MEREDITH.—Chief of detectives in Montreal.

By Mr. Moss:

Q. Now, if you will leave aside the opinions of these gentlemen, are you able to suggest in any way how that distinction is to be made?—A. No doubt there would be some difficulty in enforcing the law against the bookmaker, arising from the fact that it is not perhaps always easy to distinguish the bookmaker, if he chooses to ply his trade upon the track in defiance of the law, from an ordinary citizen, but you heard the statement made by Chief Sleman the other day, when he thought an experienced detective would not have great difficulty in distinguishing between a gentleman and a bookmaker on the race track.

Q. Yes, but I did not follow exactly how he was going to make the distinction.—A. Of course, neither you or I are detectives. I have no doubt that an expert detective could do a great deal along that line, and I should judge—

Q. You do not pretend really to know anything about that subject, do you?—A. I probably do not know any more about it than you do, Mr. Moss.

Mr. MONK.—He could soon convince himself, but I think it would be difficult to prove in court that a disguised man was really a business betting man.

The WITNESS.—Of course it seems to me that there is hardly room for doubt that there would be an immense reduction in bookmaking, or permitting of betting by privileges, if this law were put into effect and reasonably enforced.

By Mr. McColl:

Q. Yes, but do you not think, coming back to the point I asked some of the other witnesses, that it would cut out perhaps entirely that class of bettors that go there for the purpose of the sport? Betting is an incident to seeing the races for those men. Would you not multiply the number of regular frequenters of the race track and who do not care anything about racing but go there for the gambling alone?—A. I do not see any reason, Mr. McColl, why it should prevent a man who is a sport and who wants to back one of the horses, from betting with any friend he happens to be with.

APPENDIX No. 6

Q. But if you had experience you would see that is quite impracticable, he would not be able to bet at all. A man would go around, a stranger to him, who has been described as a bookmaker in disguise, and he would have nothing to do with him. But if I wanted to bet I would go and bet with a bookmaker and stand there publicly free and above board?—A. That would serve an excellent purpose, that would be reducing the amount of betting.

Q. Yes, but that would be cutting out the sport. The gambler is looking for the class of men who want to go in for gambling and he would be getting probably more than he is now, or perhaps just as much, and becoming a law breaker at the same time. If I understood the evidence aright, what you claim has not been the result in the state of New York.

By Mr. McCarthy:

Q. Did I understand you correctly that you have made no investigation in England at all?—A. Other than from literature.

Q. You did not know that in 1902 till 1906 this very question was discussed in the British parliament and a special committee was appointed to investigate it, and as a result the statute of 1905 was passed?—A. I saw some reference somewhere in the past few days to the fact.

Q. But up to the past few days you had no knowledge on the subject?—A. No, not on that point.

Q. And you had never understood that the Select Committee of the House of Lords in England had gone into this very question in 1902 and reported thereon.—A. Until quite recently.

Q. Then you made no study of the New York situation until quite recently?—A. Other than what anyone might gather from the newspapers.

Q. From casually reading the newspapers. Now, I would like to have your view as to the matters with which you deal in the Social and Moral Reform League and with which you would come more naturally in contact in your profession, whether you would look to British institutions or to American institutions for the best protection of the public; which in your opinion is the best?—A. What do you mean by that?

Q. What I mean is whether you look to the parliament of Great Britain as being the protector of the public from your standpoint as against the parliament of the United States of America?—A. Well, in a great many questions that engaged my attention because of my office, the conditions prevailing in Canada are much more alike than are the conditions which prevail in the old land and the conditions which prevail in Canada.

Q. Give me an instance of that, what do you refer to?—A. Take the conditions of labour, for instance.

Q. In what way are they different?—A. Well, the poverty I should say, speaking in general terms, in the old land is considerably greater than it is in the United States, the wages are higher in the United States, but I cannot speak particularly about the hours of labour.

Q. In what respect do those conditions affect this question?—A. I beg pardon.

Q. In what way do those different conditions affect those questions that came before you?

Mr. MONK.—Dr. Shearer says the whole social conditions.

By Mr. McCarthy:

Q. Is it that the whole social conditions of the United States resemble more those of Canada than those of Great Britain?—A. In general that is true, yes.

Q. Then is it your view that we should model ourselves on American institutions as against British institutions?—A. Model our institutions?

Q. Yes?—A. No.

Q. That we should model ourselves on the American laws for the protection of the public rather than on British law?—A. In some cases, yes.

Q. Generally?—A. Pardon me?

Q. Speaking generally. I ask you whether it is your view that we should model our laws for the protection of the public on American laws rather than on British?—A. When you say 'generally' what do you mean?

Q. Speaking generally?—A. Laws to protect property and the person.

Q. To protect property and the person.—A. Well, I do not know that I am sufficiently familiar with the laws in general to express an opinion.

Q. Well, I will take that answer. Then you, at all events, did not search far enough to find out what the parliament of Great Britain had done in respect to this very matter?—A. I did not find out.

Q. You did not find out. Then in your investigation or in what you learned of the New York situation, have you found out that as a result of the law there, handbooks and pool rooms have increased in that city, I think Mr. Brolaski says a thousandfold?—A. I have heard the statement made.

Q. Do you believe that to be true?—A. I do not know, I should like to know more about it before accepting it.

Q. Have you heard this statement made than when the fight took place in New York whereby this legislation was passed, that it was between the reputable race-track men as against the pool room and handbook men; that when the race-track men said to the pool room and handbook men, 'We are going to cut you off from information that will enable you to run handbooks or pool rooms, or advance information of that kind,' that the agitation arose.—A. I do not follow you in that.

Q. Did you ever hear that the fight that took place in New York was caused by reason of the fact that the reputable race-track men said to the handbook and pool room men, 'We are going to prevent your getting information to carry on your business'?—A. I never heard that before.

Q. And that the result of the quarrel was that the handbook men and the pool-room men said, 'If you are going to do that we will put you out of business.' And that the Hughes law was the result of that?—A. I never heard that before.

Q. I am afraid your research in New York state has been as futile as your research in Great Britain.

The CHAIRMAN.—Can you produce any evidence of that?

Mr. MCCARTHY.—I can bring as good evidence as that Dr. Shearer is giving to-night.

The CHAIRMAN.—I might say I was reading a book by E. King Dodds, where he attributes it to something very different from that.

Mr. MCCOLL.—There is a man living in Cobourg who used to live in the United States, who will come here and make a statement to that effect if you desire him to do so.

By Mr. McCarthy:

Q. Was it only in September last that you learned that the intention of Sir John Thompson's Act was to legalize bookmaking on race tracks while the race was in progress?

Mr. RANEY.—My learned friend puts that as a fact, but that is a mere trifle; all he knows is that the Minister of Justice has given that as his opinion, that it was Sir John Thompson's view.

Mr. MCCARTHY.—And the Chairman of this committee has given that as his opinion, and it is in evidence that Dr. Shearer has admitted he learned it for the first time last September?—A. I did not name the date.

Q. You said that it was last September you thought the Minister of Justice said that; I did not say it?—A. I was not as definite as that.

Q. What is your idea of it; I do not want to be unfair?—A. Something like

APPENDIX No. 6

this, that in discussing the matter with him I gave expression to an impression which I had been told at that time and later that it was the intention of parliament to prohibit bookmaking on the race track.

Q. That it was the intention of parliament to prohibit bookmaking?—A. That is the impression I had.

Mr. RANEY.—It ought to be stated by my learned friend that in giving that opinion, or in making that statement, it is directly contrary to the decision of the Court of Appeal of Ontario and the Supreme Court of Canada, both of which is directly to the contrary of what he states.

Mr. MCCARTHY.—Then let me read what Mr. Miller said when he introduced the Bill which you are so strongly supporting. This will be found in *Hansard* of December 2, 1909. (Reads):—

‘Let me refer to the remarks of Sir John Thompson and others, which will be found in the *Hansard* of 1892, page 2976. In 1892, as hon. members of the House are aware, the Criminal Code was first placed upon the statute-book. When the House was in committee considering this section 235, Sir John Thompson said:

‘I suppose it is my duty to call the attention of the committee to the addition of subsection 2, which proposes a relaxation in regard to betting on the race course of an incorporated association while a race is going on.’

So, Sir John Thompson frankly said that this was a relaxation of the law in connection with race-track betting. And Mr.—now Sir Louis Davies said:

‘It is just as well that the committee should understand that we are legalizing betting on a race course. I do not know that the committee is prepared to do that.’

Then Mr. Curran, who was Solicitor General at the time, said in reply:

‘The law has always allowed betting on horse races.’

Now, the Chairman, and I entirely agree with him, in reading *Hansard*, seemed to have made it pretty clear that the intention of Sir John Thompson in 1892 was to legalize betting on the race track of an incorporated company while the race was in progress, and from 1892 down to 1906 bookmaking did go on unmolested. Is not that correct?—A. It seems to be.

Q. Now, you have circulated through the country a statement—First, I want to refer to the first recital in the resolution which the Moral Reform League passed in September:

‘Whereas, the courts have interpreted the clauses of the Criminal Code intended to prohibit professional bookmakers from negotiating bets, in such a way as to make this lawful on a race track or on the street, if the bookmaker moves about, while unlawful if he remains in any building, booth or place, thus at once defeating the manifest intention of parliament and making the law ridiculous.’

In view of what you now know and what I have read, the quotation from Mr. Miller’s speech, the quotation from *Hansard*, do you think that recital is fair?

Mr. RANEY.—Just let me say before the witness answers, and this will shorten it up, the recital my learned friend has just read is precisely the statement of the majority of the judges of the Supreme Court of Canada and the majority of the Court of Appeal for Ontario. Two of the judges in the Court of Appeal for Ontario and two of the judges of the Supreme Court said the reviving section introduced by Sir John Thompson to sub-section 2 qualifies not only section 235, as that section is now, but sections 226 and 237. A majority of each Court said that sub-section 2 only qualifies section 235. Doctors differ. Very likely Sir John Thompson had that intention but the Supreme Court of Canada said differently.

Mr. MCCARTHY.—The Supreme Court of Canada said nothing of the kind. The

Supreme Court of Canada did not say what the intention of the law was, but what the law was, and they said that whereas the Parliament of Canada might have intended to legalize betting on the race track they have a perfect right to carry out their intention. That was the decision of the Supreme Court.

By Mr. McCarthy:

Q. Now, I ask you whether in your opinion, after this dissertation from my learned friend, and all you have heard to-day including his speech, you think that recital is a fair recital of the facts?—A. I think it was fair at the time it was made, and you will notice, Mr. McCarthy, that it is made on the motion of Dr. Hoyles, the Principal of the Ontario Law School. Dr. Hoyles thought it fair.

Q. You told Mr. Moss that you drafted it?—A. You do not imagine that a man like Dr. Hoyles would accept any statements that might come from my hand?

Q. I do imagine that a man like Dr. Hoyles, a very eminent man, accepting the draft of other people could make a motion of this kind, perhaps without due consideration?—A. Well, I am surprised to hear you make that statement about the Principal of the Ontario Law School.

Mr. MONK.—Supposing Sir John Thompson had interpreted the law or had intended to apply it in one way in 1902, and the judges have interpreted it differently since, I understand that we are called upon now to change it on account of the circumstances which have supervened latterly.

Mr. MCCARTHY.—I will not press the point if the committee think it is not germane, but that is not the foundation of this propaganda or campaign, that is not the foundation of the petitions which were circulated among the people of this country. That was done on the basis of that resolution, that Parliament's intention was defeated by the courts, whereas on the other hand the courts at the instance of prosecutions made in the City of Toronto created this unsatisfactory condition which these people have made use of for the purpose of getting these petitions to have the law changed in the way which they now suggest.

Mr. MONK.—Do you suggest that the petition was made to contain false allegations and misleading statements, is that it?

Mr. MCCARTHY.—I say it was obtained on a false basis, which is the foundation of the campaign or the propaganda which is being carried on. However if the committee thinks that no useful purpose can be served I have no intention of carrying it further.

By Mr. McCarthy:

Q. You have not at any time attended the Woodbine, Dr. Shearer?—A. No, sir.

Q. Never at all?—A. No, sir.

By Mr. Meredith:

Q. Do you approve of the Bill as drafted?—A. Yes.

Q. You do not see any harm in individual betting?—A. I did not say that. I do not think the Bill ought to go in that particular direction further than it goes.

Q. Well, do you see any harm in individual betting as allowed by the Bill?—A. Yes.

Q. And are you in a position to speak for the different churches which you represent?—A. I will speak for myself on a matter of ethics.

Q. You say you see no harm in individual betting?—A. No, I did not say that.

Q. Do you see any harm in the Bill as drafted?—A. In the Bill as drafted?

Q. Yes?—A. Well, no, I do not see any harm in the Bill as drafted. Is that what you mean?

Q. Yes that is what I mean.—A. I do not see any harm in the Bill, no.

Q. And therefore if the Bill allows individual betting anywhere you do not see any harm in it?—A. In allowing individual betting?

Q. Yes?—A. I do not think the law should attempt to prohibit individual betting.

APPENDIX No. 6

Q. Do you see any harm in it?—A. In individual betting?

Q. Yes?—A. Yes I do, I told you that before.

Q. You are down here and doing your utmost to have this Bill passed, are you not?—A. Yes.

Q. And you are doing that not only on your own behalf but acting for all the Protestant churches of Canada, I understand?—A. Yes, substantially.

Q. And you are authorized—

By the Chairman:

Q. This movement is not confined to Protestant churches is it?—A. No.

By Mr. Meredith:

Q. What other churches, apart from the Protestant churches, are you authorized to represent?—A. I am not authorized to represent any other church.

Mr. MEREDITH.—Then I think I am right, Mr. Chairman, he is acting for the Protestant churches.

The CHAIRMAN.—I understand from Dr. Shearer that communications were sent out to the Roman Catholic church as well.

The WITNESS.—There was no authorization to me from any other church.

By Mr. Meredith:

Q. You are down here doing your utmost to pass this Bill on behalf of what churches in Canada, I would like to know it?—A. The Church of England, Methodist, Presbyterian and Congregational, the Trades and Labour Congress of Canada, the Dominion Grange, and Farmers' Associations.

Q. And have these churches authorized you to press for a Bill which will allow individual betting?—A. No, for a Bill which will suppress professional betting.

Q. Well then are you authorized by these different churches which you have mentioned to press for the Bill as drafted, that is what I want to know?—A. I think I am, yes.

Q. Are you or are you not?—A. I think I am.

Q. Have you any authorization?—A. I think I have.

Q. Well where is it?—A. In the resolutions that are before you, that are before the committee.

Q. You think these resolutions give you power to advocate the Bill as drafted by Mr. Miller?—A. I think so.

Q. Do you see any harm in life insurance?—A. No.

Q. Do you see any harm in buying stock in the stock exchange?—A. You would need to be more particular before I would answer that.

Q. I do not mean on margin, I am not accustomed to doing that myself?—A. As far as I know there is no ethical distinction between buying on margin and buying not on margin.

Q. You see no difference between buying stocks on margin and buying stocks outright?—A. With limitations.

Q. What limitations?—A. It will depend whether the individual buying on margin—if I understand the term correctly, I have never done any business of that kind—buying on margin is buying on credit, that is where a part payment is made.

Q. Do you see any difference between buying on margin and buying stocks outright?—A. You mean buying on credit, that is, making a part payment?

Q. Yes?—A. No, provided a man keeps within his buying power.

Q. Under what particular branch of this Moral and Social Reform League are you down here specially, for the Methodists, or the Presbyterian church?—A. If you had been listening you might have heard, I am here representing the Moral and Social Reform Council of Canada, consisting of the various units which I have enumerated.

1-2 GEORGE V., A. 1911

Q. Is this the only legislation they are asking for?—A. No, they may possibly return from time to time.

Q. As secretary do you get copies of all bills that come up at Ottawa?—A. No, I do not.

Q. Are you sure you do not?—A. Yes.

Q. How are you made aware of measures that come up here at Ottawa?—A. Through the press, and now and then I have reason to believe through some special information that something is coming up in which I am interested.

Q. You have nobody here who sends you a copy of any bills that come up?—A. No, sir.

Q. Do all these Protestant churches pay for your expenditure here in Ottawa?—A. No, sir.

Q. Who are paying your expenses?

Mr. MONK.—Do you think that is necessary?—A. For my expenses here?

Q. Yes.—A. Referring to my salary?

Q. Your expenses here in Ottawa.—A. You do not refer to my salary?

Q. Well, to your salary, yes, and your expenses.—A. I will say I do not think that question is relevant and I think it impertinent, and I will not answer it unless the committee say so.

Q. That is for the committee to decide. I asked the question and I ask a ruling on it, I think I have a right to the information.

Mr. MCCOLL.—I do not think we should go into private matters.

Mr. MEREDITH.—That is all right, I will accept that ruling. I wanted to get the information, and I think I have a right to ask that question. I only wanted to know who is paying this gentleman's salary and expenses here. Not being allowed to ask that question, I have no further questions to ask the witness.

By Mr. Monk:

Q. There are one or two questions I would like to ask you. Dr. Shearer, have you had occasion to observe things in the United States? Have you ever exercised your ministry there?—A. No, sir.

Q. I am impressed with the idea that in this campaign, which seems to have been conducted actively, and which seems to me to have been conducted properly, you have very much neglected to get any information as to the manner in which these races were administered in England; neither yourself nor any of the others associated with you seem to have made any study whatever of the condition of things in England.—A. Speaking for myself, Mr. Monk, I would say—

Q. Did you not think it incumbent upon you, in a country like this, to have had before you something more clear and more authoritative as to how these matters are regulated in England? We have hitherto no information at all upon that, and yet betting goes on there as it has here, and even more so?—A. Mr. Monk, we had intended supplementing the information on that subject as much as we were able to get, but we have no information except documentary, and when we found that evidence was being taken here on oath it was thought that information of that kind could perhaps hardly be given here, because I could not say on oath that such and such is so of my own knowledge, I would have simply to submit the documents. I am simply explaining why we have not of our own volition offered information of that kind.

Q. Because we have all been getting information here, and I must tell you I have been impressed with the idea that in a matter of this kind you would not at all go to the United States for models of administration of municipal affairs or of race meetings or anything of that kind, but that you would rather go to the old country where I think there is a much higher social standard, a standard of honour and morality in matters of this kind particularly.—A. My impression is, I do not know whether it is warranted or not, but my impression is that racing as we have it conducted in Canada, and I might say this impression is formed largely from what I have heard in this

APPENDIX No. 6

room and before this committee, is much more like racing as it is conducted in the United States than it is, in certain features of it, like racing as conducted in England.

Q. It may be so, but speaking generally, I would much rather, in a matter of this kind, where many of us, I know I am, are ignorant as to the proper rule to adopt, I would turn very reluctantly to the United States where they push these things to a degree of extreme that they have been able to avoid in England some way or other. I do not know their laws, of course?—A. I remember reading some time ago an editorial, I think I have it somewhere, appearing in the *Colonist*, of Victoria, B.C., written at the close of the recent meet held there last summer, or about that time, in which that very question is discussed and in which it is pointed out that one of the important features in the existing situation which Mr. Miller's Bill aims to remedy as it exists here in Canada is the fact that racing has been commercialized and built upon a gambling foundation in the United States so as to produce a revulsion of feeling resulting in the penalizing of all professional betting on the race tracks, and in the coming over to Canada. I do not want to be offensive in the term, of gambling racing concerns, that is the racing concerns that are largely built upon the foundation of gambling, that they derive a very large part of their revenue from it, that those concerns are coming into Canada because they have been driven out of the United States. I think I am correct in saying that the recent racing meet that was held in Vancouver and in Victoria last year was held because those interested in it had been driven out of California and Washington by legislative action. My impression is that is correct.

Mr. McCARTHY.—Is that fair from the fact that it has been shown here that the most reputable citizens in Vancouver had the previous year formed a race-track association; they were the most reputable citizens in Vancouver, there is no question about that.—A. I have no question of that in my mind for a moment, but judging from the articles in the press and correspondence from British Columbia it is clear that the horses and the horse owners, and the jockeys and the bookmakers, and the touts and the tipsters, and the following of thieves and swindlers that apparently usually accompany or gather about race meets, came from the American States of the Pacific Ocean, putting Vancouver and Victoria to shame, therein I think my statement is warranted.

By Mr. McColl:

Q. That is a special occasion; those parties leased the track from the Vancouver and Victoria authorities and carried on the races. But would you say that racing as it exists in the Canadian establishments is at all like that which you complain of at Vancouver and Victoria?—A. Racing as it is as a whole?

Q. Racing such as we have at the Woodbine and Montreal.—A. Or Fort Erie or Windsor; do you take all those in?

Q. Yes?—A. From anything I have heard about them through the press or from correspondence or from the evidence before this committee, I should think they are very similar except in one thing.

Q. Similar to the conditions we have heard of at Vancouver?—A. I should think so, except that in the case of the racing meet being somewhat longer, except Victoria, which was 60 days.

Q. Do you mean to say that the undesirable people that appear to have been at Vancouver appear to have been at the Woodbine?—A. You heard what Mr. Barnard said as to those he met about the King Edward hotel in Toronto during the race meet at the Woodbine. I do not know of my own knowledge.

The CHAIRMAN.—I have a communication from Sir Thomas Taylor, in which he sent me a copy of a law by the London, England, city council, passed a short time ago, prohibiting bookmakers from any race track within the city of London, England, and he said the law had been pronounced by the court to be valid and standing.

Mr. MONK.—That is within the limits of the city?

The CHAIRMAN.—Yes.

By Mr. Monk:

Q. I am induced to make the remark to you, Dr. Shearer, because I have noticed from what little I have seen of racing in the United States, that there is a far greater development of commercialism there and of abuses than anything I have seen in this country; that opinion is formed by a careful reading of the inquiry held before the United States Senate, even the testimony of Mr. Brolaski goes to show that. It does seem to me that before we should be moved to adopt this legislation without reference to what is done in England, that more attention should be given to that phase of it, because as far as moral and social reform is concerned, I would be more inclined to lean towards the other side of the ocean than the United States?—A. If the conditions are the same.

Q. Yes. There is just another point I want to call your attention to, and it is this: you have followed this inquiry as well as most of the members of the committee and you have heard the evidence, and I want to ask you are you impressed from all that has been said—one-half of the people certainly not believing that betting is wrong in itself, as other people do, and their opinions are entitled to the greatest respect—with the idea that the removal of the bookmakers from the race track will not prevent betting going on on an extensive scale wherever any considerable race meeting takes place; is that your belief now?—A. No.

Q. You do not believe that?—A. My belief at the present moment, in the light of all that we have heard here, is that the great bulk of the betting as it now exists, that now goes on at racing meets under the regime of the bookmaker will disappear from the race track if this Bill becomes law and is reasonably enforced. There will, of course, be a considerable amount of private betting, which the Bill does not aim to prohibit.

Q. But do you think that the advantages which will result from the disappearance by law of the bookmaker will produce any good on the race track? I am not referring to the handbooks on the street and the pools, and the conveyance of information which is very much insisted upon in the United States, on the race track itself; from what you have heard here has your opinion changed at all?—A. I draw no distinction whatever between the handbook man and the bookmaker, Mr. Monk; I see no distinction between them. What they do is identically the same, so far as I can see, except the one does his work on the race track and the other off it, and the one handles larger bets than the other and certain consequences follow from that. But to answer your question, I do not think—perhaps I am forgetting while I have gone off on that just what your question is, will you repeat it please?

Q. I want to know if you are impressed with the evidence here, which is new to me, that the removal of the bookmaker, as a bookmaker tending to regulate business on the race track, would not make it different with respect to the extent of the betting?—A. Well, I think —

Q. I am impressed with that evidence which was new to me?—A. We have had evidence, of course, very conflicting on that particular point, as you know, Mr. Monk.

Q. Yes?—A. We had evidence, for instance, from Chief Sleman and from Mr. Smith this morning and from others that have had a great deal of experience—some of them altogether too much, evidently—of the race track to the effect that the great bulk of the betting upon the race track would disappear with the bookmaker. There are others, again, who have held that it would not be very materially reduced, and that there would be difficulties in enforcing the law, and there is no doubt room for these opinions until we have actual experience of it. No doubt if this Bill should be enacted and the law enforced, if there were weaknesses in it those weaknesses could be removed by amending legislation as is now being done in the case of the New York law after having had experience of it.

Q. In other words, your opinions have not been somewhat modified by what you have heard?—A. Not on that particular point, Mr. Monk.

APPENDIX No. 6

By Mr. McCarthy:

Q. There is one point I would like to ask you: are you, from the evidence that has been submitted here, satisfied that a large amount of money has been invested in the breeding of the thoroughbred in Canada and also by racing associations in building their racing plants?—A. No doubt there has been.

Q. Now, if this Bill should result in the closing up of the race track and the putting out of business these breeders to any extent, are you satisfied that would result in their incurring a loss of money.—A. To the breeders?

Q. To the breeders; do you believe their evidence?—A. I should be very sorry to believe a great deal we have heard on that point.

Q. Well, if you do not believe what they say I will put the question this way: If the Bill does have that result would that not be a great injustice to these men, that is if it results in a large loss of property and money?—A. Well, Mr. McCarthy, you are speaking of the breeders now are you, and not the jockey clubs?

Q. I am speaking of all the investments that have been made by breeders of thoroughbreds like Mr Hendrie and Mr. Dymont and those men; also by the racing associations—whether it would or not we do not know but they seem to believe it would entail much loss to them but if it should entail a large loss of money that would be a great injustice to these men?—A. Well, no doubt a great deal of legislation in the interests of the people entails loss to certain interests, to certain individuals, that often happens and cannot be helped, but I would be greatly surprised if anyone thought that most of the race tracks, at any rate those that have given specific information about the state of their finances, would be suffering any injustice if the bookmaker were put out of business. I do not think anybody would hold that in the light of what has been said.

Q. Do you believe the statement of Brolaski as to the effect legislation has had in the United States?—A. What statement was that?

Q. As to closing up the race tracks. I have not the statement before me, but it was to the effect that a lot of them were put out of business?—A. I have no doubt that a great many of them would not continue in business if they were not allowed to carry on what was after all their principal or a principal business and interest, namely the gambling interest and the gambling business; and I have no hesitation in saying that I think racing when upon a gambling foundation ought to be discontinued; but I do not think after that stage is reached that racing will discontinue.

Q. But taking it as it is now, if this Bill were enacted and it had the effect of causing the loss of money to these parties that I have mentioned, the breeders and the racing associations, that would be an injustice to them?—A. Of course I do not think it would have that effect.

Q. I am not asking you that, I am asking you if it had that result you would surely agree it would be an injustice?—A. That it would be an injustice?

Q. Yes.—A. It might be in individual cases but you have to—

Q. Well, if you pass a law that takes a hundred thousand dollars out of me is not that an injustice to me?—A. Unless you got the money wrongfully. If you did it would be no injustice.

Q. If I got it wrongfully?—A. Yes.

Q. You are putting it that way and intimating that these men like Mr. Dymont and Mr. Hendrie got their money unjustly?—A. I have not said that.

Q. Take an individual case, take Mr. Dymont for instance?—A. Well.

Q. You would not say that he has got his money unjustly?—A. No, I have not said that of anyone.

Q. In fact from the evidence, they have expended in importing horses large amounts of money that they never made out of race tracks but which came from their private funds?—A. No doubt that is the case.

Q. Now then if this legislation had the effect of making them lose that legitimate money that they had expended in these ways would that not be an injustice?—A. If it had that effect.

Q. I am putting it 'if it had that effect'; I am not saying it would?—A. If it had that effect it doubtless would.

Mr. RANNEY.—Would you call it a hardship or an injustice?

Mr. MCCARTHY.—I would call it a downright injustice if you passed a law that confiscates my property.

—A. Of course, Mr. McColl, you would have to set forth the case from your standpoint; I am taking it from what I understand to be the more important point of human interest.

Q. I am coming to that a little further on, because this involves a very important moral principle?—A. Surely.

Q. Now then, you hedged too much on that question. It surely is a plain thing and common sense to any body that if you pass legislation that affects my operations that is unjust to me.—A. Pardon me, I have not hedged.

Q. Well, I will put it in this way. It seems I cannot get you to say that it is any injustice?—A. I have said that it is a hardship that may be in many cases an injustice.

Q. You would not consider if that had the effect that Mr. Dymont or Mr. Hendrie would lose their investment under those conditions that it would be an injustice to those men?—A. I would have to consider it on its merits, and if those losses would have to be made up, I would help to do that.

Q. I have been taught that justice is one of the four cardinal virtues, do you agree with that?—A. Surely.

Q. Then injustice, which is the converse of that, would be a great wrong?—A. No doubt.

Q. And if I did an injustice to my neighbour then it is my duty to make restitution?—A. Well?

Q. Do you agree with the proposition?—A. Well, what then?

Q. Well then, have you considered that question, if you are doing an injustice to the people how are you going to make restitution?—A. I would not be, as I think, doing an injustice; if it is an injustice or a hardship no doubt it would be the occasion of action as a nation.

Q. Then is it not a feature that we should consider in passing any legislation, as to whether we are doing an injustice?—A. There is no reason why you should not consider it.

Q. That is one element, are you opposed to the sport of horse racing?—A. No.

Q. It is a good and noble sport if properly conducted?—A. I am decidedly opposed to the sport of horse racing as it has been described.

Q. Never mind about it as it has been described, but as a sport?—A. Not to racing as racing.

Q. But horse racing as horse racing alone is a noble sport?—A. I think so.

Q. Patronized by the best people in every country?—A. It might well be.

Q. Now, do you think then that legislators or the public are justified in promoting a noble sport of any kind?—A. What do you mean by promoting?

Q. Promoting, assisting, helping?—A. I think so, yes.

Q. Then if horse racing is a noble sport it is a thing that should be protected, if possible?—A. Yes, and we are not endeavouring to do any hurt to horse racing, but only to continue it.

Q. That is your view?—A. Surely.

Q. But are you aware that every person is not of that view?—A. Well, that is very manifest.

Q. Well then, if we could all reach the same view we would have no trouble in

APPENDIX No. 6

legislating. Do you think it is a proper principle to try and enforce or compel your view upon people who think differently?—A. We are not trying to do that.

By Mr. McColl:

Q. Well, there are a great many who do not agree with you, is not that a fact, in this legislation, if it is passed you are forcing that upon them?—A. Oh, no, surely any action that parliament takes is not to be charged up against me.

Q. No, but you are trying to move parliament to pass the legislation?—A. I hope that I will be one of the majority when it is put through, and the majority surely has a right to rule.

Q. You are trying to move parliament through the people's representatives in parliament?—A. Yes.

Q. I am asking you what you think our duty should be?—A. I have no hesitation in telling you that I think your duty is to recommend the enactment of this measure.

Q. Yes, to force legislation upon a large number of people with a Bill that is absolutely wrong and with a Bill which is against the best interests of the country.—A. You are speaking for yourself, there.

Q. No, I am speaking in accordance with the great preponderance of evidence given before this committee. Do you not think we should hesitate before going as far as that?—A. Do you want my answer to that?

Q. Yes.—A. I say that from all I have heard of the evidence that has been given before this committee I have no hesitation in saying that I think the Bill should be passed.

Q. And following out what has been suggested that we should go for our precedents to the United States instead of England?—A. You do not need to go to the United States for a precedent; I think it is a very proper thing that parliament should protect Canada against the demoralizing influences that result from action in the United States, that is a very proper thing.

Q. Now, another matter, with regard to betting in itself, that is betting per se, I use the expression because you use it, is that a sin?—A. The practice of it I think is.

Q. And how do you distinguish between betting and the practice of betting, what do you mean by that?—A. I am distinguishing, I think, between the individual act of betting and the practice. If you want to know my opinion, I answer it as fully as I feel I can.

Q. I will give you an illustration; take my own case, I go to the Woodbine three times a year, about three days in the year, to enjoy the sport of horse racing, and while there I bet sometimes on three or four races a day, is that a sin?—A. Well, I would not do it, Mr. McColl.

Q. I am not asking you whether you would do it or not. Would you consider it a sin?—A. I am not going to say whether it is a sin for you or not.

Q. I am going to say that I have no scruples of conscience in the slightest degree?—A. I do not say you have.

Q. That brings up the question that we are supposed to be legislating on one of the great fundamental principles of our constitution, which is always to have civil and religious liberty.—A. But you will be able to do that in the future just as in the past?

Q. I will not?—A. Why?

Q. I will tell you why, and that shows me, when you make that statement you do not understand the position?—A. I think I do.

Q. In the first place I go there for the sport, to see the horses run, and as an incident to that, I like to make it interesting by betting upon the horse of my choice, you understand that?—A. Yes.

Q. By this Bill you remove the opportunities for my doing that and you take them away?—A. Only the opportunity of doing it with the bookmaker, that is all.

1-2 GEORGE V., A. 1911

Q. Yes, with me that will take away entirely the opportunity of doing it.—A. You might not be any the worse for that.

Q. I am not saying that I am, but I am saying that it is a principle of British liberty that you should not interfere with me in doing so.—A. No, it is your choice whether you would bet with a private man or not, you would not be prevented by the Bill in doing that.

Q. Surely you must see that from the point of convenience it is impractical for a person to go round searching through the crowd looking for a man to bet with?—A. I certainly do not.

Q. That shows you do not understand the conditions.

By Mr. Counsell:

Q. When did you leave Hamilton?—A. When did I leave Hamilton?

Q. Yes?—A. In 1900.

Q. Have you been in Toronto since then?—A. Yes.

Q. And in 1907, was it, this Board of Moral and Social Reform was formed by the Presbyterian Church?—A. In 1907, yes.

Q. And when did you acquire your knowledge of the racing conditions, was it before that time or subsequently?—A. Subsequently largely.

Q. Subsequently?—A. Yes.

Q. By going over them yourself?—A. Yes.

Q. But nobody came to you prior to 1907 and spoke to you about race tracks?—A. Came to me?

Q. Yes?—A. I have a general impression that I have had many conversations with people who did speak about them.

Q. Prior to 1907?—A. Yes.

Q. Give me the name of one person?—A. I could not do that.

Q. What was the conversation about prior to 1907, in regard to race tracks?—A. I am simply saying that I have a general impression that I have frequently discussed the subject of race track gambling with various individuals. I have no recollection of any particular individual or any particular time or particular conversation.

Q. That would be prior to 1907?—A. I should say so.

Q. Will you swear it was?—A. Yes.

Q. You will swear it was?—A. I will swear that it is my impression that in the course of years extending far beyond that I have had conversations on the subject.

Q. With whom?—A. I am not prepared to name anybody.

Q. What was the conversation about and what was the result of the conversation in regard to this gambling before 1907?—A. I have just told you.

Q. You have not just told me?—A. I have just told you, Mr. Counsell; you need not get angry about it.

Q. I want you to be a man and not fence with me?—A. I think we all ought to be men.

Q. Prior to 1907 you have said you had a conversation in regard to gambling on race tracks, and I want you to tell me the name of a single person with whom you had a conversation on the subject?—A. I have said my general impression is that not infrequently during a period of a considerable number of years I have from time to time discussed the question of gambling on the race track with various individuals.

Q. Did you do that in Hamilton?—A. I think quite likely I did.

Q. Do you know whether you did or not?—A. I do not know.

Q. You do not recall any conversation in Hamilton?—A. I do not recall any particular case.

Q. Did you in Toronto?—A. I do not recall any cases in Toronto. As far as that is concerned I know—

APPENDIX No. 6

Q. Do you recall discussing it with Inspector Archibald?—A. Since 1907, yes.

Q. Do you recall discussing it with Dr. Chown?—A. Yes.

Q. Do you recall discussing it with anybody else?—A. Yes.

Q. Who?—A. Well, I might name the whole list of the members of the Council of the Moral and Social Reform League of Canada, I presume.

Q. How many are there?—A. Each unit is entitled to ten representatives.

Q. At any meeting you had, what was the largest number present?—A. I do not know.

Q. Thirty-eight. Did you discuss the matter with any person who was there?—A. I would not say I did. We discussed it together.

Q. You brought in a report in regard to the gambling and presented it to those thirty-eight gentlemen representing the Social and Moral Council of Canada; is that right?—A. I think it is substantially.

Q. And then before you presented that report to the Council with whom did you discuss it?—A. I do not know that I can particularize. The probability is—

Q. I mean outside of Inspector Archibald and Dr. Chown?—A. Well, I should say that the subject was discussed in the executive committee of the council.

Q. Composed of how many members?—A. Well, I read you the list some time ago.

Q. Well, the minutes of the executive meeting are here and the largest number that I can find as being present is five?—A. The minutes speak for themselves, I am not prepared to say that.

Q. How many more did you discuss the subject with outside of Dr. Chown and Inspector Archibald?—A. I am not prepared to particularize.

Q. Do you know of any other?—A. I could not say without reference to the minutes.

Q. Then did they both tell you there was a great gambling evil?—A. They both.

Q. Yes?—A. I do not remember discussing the subject in particular with Inspector Archibald excepting where law enforcement was involved at the time the prosecutions were taken in Toronto. I had no connection whatever with Inspector Archibald over the question.

Q. Did any people come to you then as a result of unfortunate speculations on the race track or embezzlements or on account of hardships, and tell you their stories?—A. I do not know that I can particularize any.

Q. You do not know a single case, do you?—A. I do not recall particular cases.

Q. Do you recall a single case during your term in Hamilton of any such thing happening?—A. I do not now recall such a case.

Q. Had Inspector Archibald told you of any cases?—A. At any time, you mean?

Q. Any case of betting on the race tracks which resulted in the downfall of a man, woman or child or any hardship to them?—A. Well, I think probably I had one conversation with Inspector Archibald before he came here to give evidence, and I am not at all sure that that was not the only occasion on which I discussed the case of individuals suffering harm from the race track.

Q. Was that the only occasion on which you discussed the matter?—A. So far as I recall at present.

Q. In any of these conversations did you discuss the question of the evils of the handbook?—A. I do not recall having done so.

Q. Had you ever information that there was such a thing as a handbook before you came into this room?—A. I learnt it from the newspapers, Mr. Counsell.

Q. When?—A. From time to time. We had a case in Toronto some time ago, that is the people in Toronto had. I had nothing to do with it except that I saw the matter reported in the press.

Q. That is the first time you heard of a handbook?—A. I think probably it was.

Q. Have you heard anything about it since you came into this room?—A. About the handbook since?

Q. Yes, or about the handbook business of betting?—A. Yes, I think so.

Q. Who did you hear it from?—A. I do not know that I can particularize that.

Q. Did you hear anything about it being an evil?—A. About the handbook being an evil?

Q. Yes.—A. Quite likely I did.

Q. Do you know whether you did or not?—A. I do not know that I did.

Q. Well then, say you do not know if you do not. Tell me then about the handbook, do you know whether it is an evil or not?—A. Whether the handbook is an evil?

Q. Yes.—A. I should think it is.

Q. Do you think it is a greater evil than betting on the race track?—A. What do you mean?

Q. Judging from the evidence you heard to-day?—A. Do you mean ethically?

Q. Whatever you call it?—A. Do you mean a great evil ethically or in its extent?

Q. Is one a greater evil than the other? I am not asking you to make such distinctions. You are fencing.—A. I am not.

The CHAIRMAN.—Hold on, Mr. Counsell.

Mr. COUNSELL.—I have asked the witness a simple question.

The CHAIRMAN.—I think you ought to treat the witness in a gentlemanly way; I do not think you are doing it.

Mr. COUNSELL.—All right. I am trying to do that if he will not fence but give a plain answer.

The WITNESS.—I am not fencing.

By Mr. Counsell:

Q. You have heard the question, will you please answer it?—A. I quite agree with the Chairman. It is becoming that counsel should conduct themselves in a gentlemanly way even towards a preacher.

Q. Well now, will you answer the question?—A. If you will answer my question, I will.

Q. I will endeavour to do so, yes.—A. What I want to know is do you mean ethically or in the extent of the evil?

Q. I am not concerned with ethical at all; I have asked you simply a plain question. Do you consider there is a greater evil from betting with the handbooks than betting at the race track?—A. What I want to know, Mr. Counsell, is whether you mean greater in its extent or in its moral quality, in the evil of it.

Q. I do not make any distinction, I ask which is the greater evil.

The CHAIRMAN.—Is that a question which it is possible to answer?

Mr. COUNSELL.—If he does not know, he can give a simple answer.

Mr. MCCOLL.—I do not know that I could answer it in that way. Is this what you mean: From which results the greatest public evil, the handbook or the betting on the race track? Is that what you mean?

Mr. COUNSELL.—Yes.

Mr. MCCOLL.—I think he can answer that.

The WITNESS.—He might have given me that information before, and saved us time. He wants to know which evil is greater in extent, the evil from the handbook or the evil from the bookmaker. That is what he means. Well now, I do not know anything upon that particular subject except what I have heard in this committee room. I should judge that the extent of the evil is practically—for instance in Toronto is considerably greater in the case of the handbook than in the case of the bookmaker, from the evidence submitted here.

By Mr. Counsell:

Q. What are the evils that have come under your notice resulting from betting on the race track?—A. Personal notice?

Q. Yes, or that you have heard of?—A. I have not had the opportunity of observing any, I have simply heard what has been submitted here.

APPENDIX No. 6

Q. What cases?—A. Pardon me?

Q. Those nine cases that were submitted by Inspector Archibald?—A. I think Inspector Archibald submitted some fourteen or fifteen cases.

Q. Well, say fourteen cases?—A. And Mr. Batt enumerated some fifty cases and made the statement that there were some hundreds in addition.

Q. What was the evil in the fifty cases that Batt referred to?—A. You know just as much about them as I do.

Q. My impression is that Mr. Batt stated there were fifty gentlemen who had lost considerable sums of money, is that an evil?—A. He stated that two men had suicided, did he not?

Q. I would not take that from his evidence exactly?—A. Well, I did, but I may be mistaken.

Q. Then, Doctor, you do not know—did any people come to you prior to your accepting the position of secretary of this Moral and Social Reform Association? Did you ever see any agitation of that kind against gambling at the race track?—A. I naturally would not.

Q. Did you ever hear any public opinion, or see any feeling or evidence of public opinion that you are aware of?—A. Yes, I heard a great many opinions expressed by private individuals prior to accepting this position, in a casual way.

Q. Can you give me the names of any one of those persons?—A. No.

Q. They did not make any impression on you, or not very much?—A. Not beyond that general impression.

Q. It did not, because you did nothing in regard to it?—A. No.

Q. You did not do anything in regard to it until you were appointed to this office?—A. No.

Q. I was going to ask you, do you know anything about the conditions in Missouri when the Bill was supposed to prohibit betting there?—A. No, except that I have heard certain statements made.

Q. Did you hear that at St. Louis there was a track where races were run under the electric light for two months?—A. I heard somebody make that statement within 24 hours, I think.

Q. Do you know whether that is a fact or not?—A. I do not.

Q. Did you know there were two other tracks at St. Louis, the Belmar track and another where they raced alternate months all the time?—A. I do not know.

Q. Did you know that at St. Louis there was a track where they raced 100 days?—A. I did not.

Q. There are two tracks where they race steadily for 125 days in all, a four months' racing schedule?—A. No.

Q. Did you know that at San Juarez, Gloucester and Guttenberg they race all the year steadily?—A. No.

By Mr. Blain:

Q. Dr. Shearer, I want to ask you a question?—A. Yes.

Q. You are here of course to assist in the passage of this Bill. May I ask are you using any influence in the Senate?—A. On the Senate?

Q. Yes?—A. I have conversed with various senators.

Q. What is your opinion as to whether the Senate will pass it if it is passed by the House of Commons?—A. I think it likely, probable, that the Senate would.

Q. Have you heard any report that the Senate will throw it out even if it is passed by the House of Commons?—A. An employee around the building made that remark to me yesterday but I did not attach any importance to it.

Q. Do I understand that you have made a pretty general canvass of the senators to find out their opinion on it?—A. No, I have spoken to a number of them.

Q. And your opinion is that it will pass the Senate if it passes the House of Commons.—A. I think it is highly probable.

1-2 GEORGE V., A. 1911

By Mr. McColl:

Q. Did you have that opinion right from the beginning, before the Bill was introduced?—A. I had no opinion on the subject then.

Q. Do you ever remember expressing any opinion showing a different situation?—A. I do not recall having done so.

Q. Do you ever remember making any statement to the effect, I cannot remember the exact words, that this Bill would pass the House of Commons, that the Commons dare not throw it out, but that the Senate probably would.—A. I do not think I ever made that statement.

Q. Have you ever heard anyone make it in your presence?—A. I do not recollect having heard it.

Mr. MCCARTHY.—I have received a telegram which reads as follows:—

‘TORONTO, ONT., Feb. 7, 1910.

LEIGHTON MCCARTHY,

Care Miller Committee, House of Commons, Ottawa.

The evidence given by a Toronto butcher before committee yesterday, and reported in *Toronto Star* to-day, respecting myself, is unqualifiedly and absolutely untrue; I ask to be recalled to give my denial upon oath. If balance of his evidence is equally unreliable, you can well judge of its value.

A. M. ORPEN.’

Mr. COUNSELL.—I ask that these minutes of the Moral and Social Reform Council should go in.

The CHAIRMAN.—I do not think that the whole of the minutes should go in, but if there is any part relating to the matter before us, you might ask to have it put in, I think.

Mr. COUNSELL.—Yes, my purpose in putting it in is purely in connection with this matter and for the purpose of showing that the Rev. Dr. Shearer appears on the first page and in almost every page as the active man that conducts the business.

The CHAIRMAN.—I think Dr. Shearer will be willing to admit that.

Mr. RANEY.—Certainly.

Mr. COUNSELL.—I mean that he originates the business in every case.

Mr. RANEY.—He is the secretary and the chief executive officer.

The CHAIRMAN.—There is no desire to conceal that fact. I think nobody will object to putting in editorials from some of the standard agricultural papers in the province of Ontario on this question, as it affects the breeding interests, and if the committee assent to that I would, without taking up the time to read the editorials, state what they are and file them; the stenographers would not have to transcribe these, but just hand them in.

Mr. MOSS.—That is for the committee to decide, it is not usual; there are editorials on both sides in papers all over the country.

The CHAIRMAN.—I think it will be quite reasonable and fair if you have editorials in standard authorities on horse-breeding in Canada; I think you should have them before the committee.

Mr. MOSS.—We have had gentlemen here who have given their evidence under oath on this question and submitted to cross-examination with greater or less success, and we have had a thorough investigation of the subject with their knowledge. It is only lumbering up the record.

The CHAIRMAN.—I think if we can show from such papers as the *Weekly Sun*, the *Canada Farmer*, and *Farm and Dairy*, published in Peterborough, that the opinion of the editors who edit their papers in the interests of the horse breeders of this country, if they think, as they appear from their editorials to think, that this Bill would not injuriously affect the horse-breeding interests of the country, we could

APPENDIX No. 6

take that as an authoritative statement and as an expression of opinion of the horse-breeding interests of Ontario. Of course, if the committee refuses to accept this, that is another matter.

Mr. McCARTHY.—Unless we know whether the editor who writes these articles is a horseman of experience himself and is speaking from his experience. We do not know upon what that editorial is founded and most of these editors are not men who have engaged in horse breeding or in the matter about which they write particularly. Now, it would not be fair to say that you should offset the evidence of Mr. Dymont, of Dr. McEachren and Dr. Rutherford, by an editorial from men you do not know and have not seen.

The CHAIRMAN.—Mr. Smith presented to-day and the committee accepted it without hesitancy the written opinions of men who are not editors of agricultural papers.

Mr. MARTIN.—That was by special agreement with the committee.

The CHAIRMAN.—Yes, it was certainly.

Mr. McCARTHY.—An editorial is not the same as a letter over a man's signature.

Mr. FRASER, Secretary of the Ontario Jockey Club.—I may say that I have a letter in my possession from the editor of that paper, the *Farmers' Advocate*, deploring the fact that he had not material, had not the subject to fill his paper with and offering me a munificent sum if I would undertake it. I wrote back and told him that he was quite welcome to any information I could give him, but that I had no time at the present moment.

Mr. RANEY.—Put your letter in.

Mr. FRASER.—No, we do not want rubbish of that kind.

Mr. MONK.—It is the custom to admit papers at these inquiries, but of course they have not the weight of evidence.

Mr. MARTIN.—They will come in and be considered as evidence.

Mr. FRASER.—Call this very man who wrote those articles.

Mr. McCOLL.—I would pay very little attention to it as against the evidence of men that know and have come here and given sworn testimony.

Major HENDRIE.—The *Farmers' Advocate* asked me to write a letter on the thoroughbred horse.

The CHAIRMAN.—I do not wonder at that. I would read your article with a great deal of interest and I think many people would.

Mr. McCOLL.—It will not take long to read what the *Farmers' Advocate* says.

The CHAIRMAN.—I do not want to take up time by reading the article, but will just file it.

Mr. McCOLL.—Are you putting in an issue of the *Farmers' Advocate* which shows that the Ontario Horsebreeders' Association, the Hackney Breeders' Association and the Standard Bred Association, have passed resolutions unfavourable to this Bill?

Mr. McCARTHY.—This committee is not debarred from reading any article they want to, but if it read into the evidence then it becomes part of the testimony. Now, that is not fair.

Mr. MONK.—Committees of inquiry investigating some particular charge have admitted newspaper articles but to consider them as evidence is quite another thing.

Mr. McCARTHY.—It is proposed to read it into the evidence.

Mr. MONK.—I do not think it is desirable that this should enter into the printed evidence. I did not understand it was going to form part of the evidence.

Mr. McCARTHY.—But that is what Mr. Miller said. He remarked 'I will file them and the reporter can put them in the evidence.'

Mr. MONK.—It is not evidence, it is the opinion of a newspaper editor.

The CHAIRMAN.—I am quite content to say that the *Farmers' Advocate*, the *Canada Farmer*, published by Mr. William Moore, Secretary of the Canadian Northern Railway, I think, the *Weekly Sun* and the *Farm and Dairy* published in Peter-

1-2 GEORGE V., A. 1911

borough, state that this Bill will not injuriously affect the interests of the horsebreeders of the country.

Mr. MOSS.—Are you making a statement as a witness?

The CHAIRMAN.—I am quite willing to let that statement go without putting in letters.

Mr. MONK.—These papers could be filed but not form part of the record.

The CHAIRMAN.—I do not ask that. Now, I think we can safely say that we will close the taking of evidence to-morrow even if we find it necessary to hold another session in the evening.

Committee adjourned.

APPENDIX No. 6

HOUSE OF COMMONS ROOM No. 32,

FRIDAY, February 18th, 1910.

The committee met at three-thirty o'clock p.m., the Chairman, Mr. Miller, presiding.

Dr. ROUTLEDGE called, sworn and examined.

By Mr. Beaton:

Q. You live in the county of Middlesex?—A. I do.

Q. You are a practising physician?—A. I am.

Q. And you have always taken considerable interest in horses?—A. I have.

Q. Principally the standard bred?—A. Principally the standard bred.

Q. Do you know much about the running horse?—A. Well not a great deal. I know a little about the racing of the thoroughbred but I have had some little experience along breeding lines.

Q. Of thoroughbreds?—A. Some little experience, not very much. I do not profess to be an expert on thoroughbreds.

Q. How long does your experience of the standard bred extend?—A. Well I have been dealing more or less for the last thirty-three or thirty-four years.

Q. Buying and selling horses?—A. Buying and selling.

Q. And breeding to some extent?—A. Some, not very much.

Q. Developing and racing?—A. Developing and racing occasionally.

Q. I understand that you have also done some judging?—A. What do you mean?

Q. Some judging at race meets?—A. Yes, sir.

Q. And at county fairs?—A. Yes, sir.

Q. And at horse shows?—A. Yes, sir.

Q. In the United States as well as Canada?—A. Yes, sir, all the way from—

Q. Briefly what has been your experience in the matter of judging, just state it concisely?—A. Do you mean with regard to horse racing or fairs?

Q. Just briefly state your experience in judging all around; how far has it extended?—A. Well, I do not know that I just understand your question.

Q. How much have you been engaged throughout the States for instance in horse shows and race meets?—A. Well I have judged, you might say, all the way from Philadelphia to Winnipeg in different cities, not in all, and in a great many in Western Ontario, at Toronto Exhibition, some at London, St. Thomas, Exeter, two or three times at Philadelphia, at Winnipeg, at Woodstock, at Stratford, Galt, Brantford and many other places that I cannot just bring to memory.

Q. Many other places in Ontario?—A. Many other places in Ontario.

Q. Your judging has been principally with the standard bred, I suppose?—A. Principally with the standard bred. I have judged some on the harness horses, but I was generally called to handle the standard bred.

Q. In Ontario, I believe, you are considered as somewhat as an authority on the standard bred horse?—A. Well, that would be for somebody else probably to say.

Q. I think it is a fair assumption.

Mr. RANEY.—We will take it for granted.

Q. Have you any idea, Dr. Routledge, how many race meets there would be through the province of Ontario every year—trotting?—A. Well, it is probably any-

1-2 GEORGE V., A. 1911

where in the neighbourhood of two hundred. I do not know exactly I am not sufficiently posted, but it is up in the hundreds I think.

Q. And you have been to a great many of them?—A. I have been to quite a few.

Q. You know the conditions that prevail at most of these meets?—A. I have a pretty good idea.

Q. One is similar to another?—A. Quite similar.

By the Chairman:

Q. Was that question how many meets approximately there are in Ontario?—A. Well general meets.

By Mr. Beaton:

Q. Do you include county fairs?—A. I am taking county fairs and wherever a race meeting has been held. I am not taking the associations altogether and I am not giving you this as authentic. I do not know that I paid any attention to that. I know there are a great many.

Q. We have been told that some associations only hold one, while others hold two meetings every year?—A. Some do.

Q. You are also president, I believe, of the London Turf Association?—A. I am.

Q. Which holds a trotting meet every year?—A. Say once a year.

Q. How long does that last?—A. From three to four days.

Q. Is that the average length of a trotting meet?—A. I think so; yes, sir, so far as I have attended.

Q. And does the London Turf Association conduct its meet along the same lines as the others that you have been to in Ontario?—A. Similar.

Q. I believe they have open betting at the London meet?—A. They have had.

Q. They sell bookmaking privileges?—A. They do.

Q. And the revenue from these privileges contribute towards the purses?—A. Yes.

Q. How long has the London Association been in existence?—A. Well, that is a question I can hardly answer. For a good many years. I have been president, probably six or seven years; I cannot give you the exact date.

Q. You have been closely associated with it?—A. Closely associated. Well, all my life, you might say; I have always attended, or when possible, I have attended the London meet.

Q. Have you found it a very profitable investment?—A. Not to the officials.

Q. You are a shareholder?—A. Well, I am president. I have never received a dollar from it as yet. I have paid out some.

Q. You got no dividends?—A. No, sir. I have not at least.

Q. Do you know if they do make any large profit?—A. Well, I am told not by the secretary. I have never seen his books, but he tells me no.

Q. You have never personally audited the books?—A. No.

Q. What effect would the passage of this Bill, in your opinion, have upon the London trotting meets?—A. Well, in my opinion, it would have a detrimental effect.

Q. To what extent?—A. Well, in the first place it would do away with—by doing away with the privileges we lose that revenue and I think it would lessen—I am satisfied it would lessen—the attendance.

By Mr. Raney:

Q. How much is the revenue?—A. Well, anywhere probably during the four days close to \$800, I should judge.

By Mr. Beaton:

Q. The revenue from what?—A. The bookmakers.

Q. And that is largely?—A. We usually try to make our purses tally with the amount of revenue we expect to receive.

APPENDIX No. 6

Q. And the object is merely to make both ends meet?—A. The object is to make both ends meet. If we do well one year and they find they have sufficient surplus to make the races larger the next year they usually do that—the purses I should say.

Q. Well, you have not told us the definite effect you think the passage of this Bill would have on racing at London?—A. Well, I think it would have a similar effect in London to what it would have at all trotting meets.

Q. What would that effect be?—A. Well, to explain that I might go back a little.

Q. Explain it in your own way?—A. Years ago the trotting record for the standard bred was something like 3-6.

By the Chairman:

Q. How many years ago was that, doctor?—A. Well, that was in the neighbourhood of a hundred years ago; I am not speaking from experience, but only from history now. I am trying to give you my reason for this, or will later on. Fifty years ago that time was reduced to some 2-24½, and to-day the horse that cannot trot close to the two-minute mark is not cherished any more than the horse that fifty years ago could trot in 2-24½. Now there are two causes for this reduction in time. One is inheritance and the other is development, and by development I think we can virtually create inheritance, and inheritance if left to itself will, I think, greatly degenerate. Now, what I am trying to get at is development. Do away with betting and I think you do away with the track. Do away with the track and you do away with development. You do away with development and you do away with an industry which to my mind is very beneficial to the farmers and breeders of this country. I do not know of any better way to answer your question.

Q. And you mention that the interest of the farmer in the standard bred and trotting horse is very considerable?—A. In the different counties where I am in the habit of purchasing or dealing, it has a great deal to do with it.

Q. You have been dealing with a number of counties throughout Ontario?—A. Yes.

Q. Those counties are scattered all over the province?—A. They are scattered nearly all over the province. Take for instance, Middlesex, Elgin, Peel, Huron, in fact I might mention all the western counties; I have bought horses nearly all over this province, I will not say all over the province.

Q. So you are familiar with the interest that the farmers throughout the western part of Ontario take in the standard bred?—A. Fairly well, especially in my own jurisdiction.

Q. Do you find that that interest exceeds the interest taken in the thoroughbred?—A. Well, I think it does.

Q. That is where you have been in the habit of dealing?—A. Where I have been dealing? Well, I have been more intimately connected with the standard bred, and I have paid equal attention to the thoroughbred, and that is probably my reason for making that statement; but I know that a great many farmers and their sons to-day are endeavouring to get a good standard bred for a driver, and for a third horse on the farm where they only use two horses, and in my opinion the value of the standard bred, that is after you have style, conformation, soundness, is in the amount of speed that he has; that is where the value lies, the more speed he has the more the horse is worth both to the farmer and to me.

Q. Speaking of development, we were told yesterday by a witness who pretended to be an expert, that a developed sire was not as valuable as an undeveloped sire.

MR. RANEY.—No, no.

Q. Practically that, I think, is what his contention was. What is your opinion?—A. My opinion is this, that the progeny of the undeveloped animal cannot compare with the progeny of the developed animal. That has been my experience.

Q. Do you believe that is the opinion generally of the expert breeders and horse-men?—A. Well, I think so; of course I cannot give the views of others any more than what I have heard them express themselves.

Q. From your own experience, would you think that a developed sire would produce better stock than an undeveloped one?—A. That is my opinion, from the experience I have had. I base my experience in this way, that in the standard-bred horses that I buy after I have purchased the horse I generally inquire as to his breeding, and I have noted his breeding and his action, and his speed, and his way of going, that is the way I have of getting at it.

By Mr. Blain:

Q. Will the stock degenerate after leaving the track?—A. Well, I claim that if you do away with the track you do away with your development to a certain extent. You certainly cannot acquire on the stone roads which we have throughout this country—you would ruin your horse before you could get him to that stage of development—you cannot acquire that speed which you would get on the track. We have throughout this country as good horses, we have as experienced drivers and handlers of horses who make that a study, and if you see fit to place your horse in their hands you get the benefit of their experience and judgment.

Q. Then do I understand your opinion, Dr. Routledge, to be that with the passage of this Bill and the suppression of betting, the standard-bred industry will be seriously affected?—A. I think so, but this is rather a serious position to be placed in just now. I believe in moral reform, and I admit that according to some of the evidence that I have heard here, I have watched the evidence fairly closely for the last two days, all those who attend the horse races are of degraded character, and I certainly do not want my photograph in the Rogues' Gallery. But to give my candid opinion now according to my experience, if I could see eye to eye with some of the others who have given testimony here probably I would feel like blaming myself for what I have already said, but I am pleased to say that I cannot agree with them.

By Mr. Beaton:

Q. Your experience has been that the patrons of the trotting meet are as respectable as any other large crowd?—A. I have attended a great many race meetings, a great many fairs, and a great many large gatherings, and I can say honestly that I have never seen anything more degrading on a race track at the meetings I have attended than I have at other large gatherings. I will admit that probably there may have been things which should not have been done and things that none of us would approve of, but I have never seen anything of that sort. There are many institutions that have people who do things they should not do, but that is no reason why we should condemn the whole thing because somebody does wrong. For my part I have never seen anything at a race meet anything more detrimental to a man's moral character than I have at other large gatherings or at our exhibitions.

Q. At these various race meetings that occur throughout the province during the year has it been your experience that there is betting at most of them?—A. Yes.

Q. Even at some of the county fairs?—A. Well, I think—

Q. You might distinguish between open betting and betting by friends?—A. There has been no open betting at any fairs I have attended, but I think there is betting at all race meetings.

Q. Whether at fairs?—A. Or on the tracks, but there is no open betting at any fairs I have attended.

By Mr. Blain:

Q. No open bookmaking?—A. Not to my knowledge. There may have been book-making but I did not know of it.

Q. Would you say there is a considerable amount of betting at the average county fair in the province of Ontario?—A. I am satisfied there is betting wherever there is a horse race. There is betting wherever there is any race or prize fight or anything of that kind, it is human nature.

APPENDIX No. 6

By the Chairman:

Q. Or an election?—A. Yes, or an election.

By Mr. Beaton:

Q. Do you think the conditions would be improved if bookmaking was absolutely done away with and as suggested here the patron of the race track would go around making private bets with any one he could find?—A. Well, I believe in open betting. I believe in betting on the track. If there is to be pool selling or anything of that sort it should be on the race track.

Q. Do you believe that the system of bookmaking on the track as practised to-day is a satisfactory one?—A. Well, I think it is satisfactory to the bettor.

By Mr. Raney:

Q. Satisfactory to the bookmaker. Do you mean satisfactory to the backer or to the bookmaker?—A. Satisfactory to the better, I think, as far as I know.

By Mr. Beaton:

Q. The one who bets with the bookmaker?—A. Yes I think so.

Q. You think it is the more satisfactory condition than doing away with the recognized bookmaker?—A. Well I do not know that I can answer that question but just in this way that I believe in open betting.

By Mr. Blain:

Q. Do you see any moral distinction between two men betting on the track and other men betting with the bookmaker?—A. None. I cannot see any difference. I do not think it is any more harm in my mind—I am only giving my opinion—to bet with the bookmaker than it would be for an ordinary auctioneer to auction your chattels and mine and take a percentage; I cannot see any other difference.

By Mr. Beaton:

Q. How do you distinguish between open and other betting?—A. When I say open betting I believe in having it upon the track.

By Mr. McCarthy:

Q. With the bookmaker or the pool seller?—A. Yes, the bookmaker or the pool seller and having that on the track. I do not believe in betting in England and having a race here.

By Mr. Beaton:

Q. Are there any handbooks in connection with the trotting meets betting on foreign races?—A. I think there has been, I am not posted as to that.

Q. Do you know whether there are any?—A. I do not know. I am not an authority on that, I could not say.

Mr. RANEY.—There are none, we have not heard of any.

The WITNESS.—I do not know of any.

By Mr. Beaton:

Q. Do you see anything objectionable in the trotting meets as held to-day?—A. No, I do not.

By Mr. Raney:

Q. There was a witness here from Nova Scotia, a horseman, a race track owner, a man whose business is as large as yours is, who told us that there was no bookmaking on the Nova Scotia tracks, and those tracks derive no revenue from bookmaking and yet they were in a very healthy state. Middlesex is a wealthy county is it not?—A. Yes, sir. The best in Ontario.

1-2 GEORGE V., A. 1911

Q. I suppose what could be done in Nova Scotia ought to be possible in Middlesex?—A. Well I do not know. I think we have the best county in Ontario. That is the way I feel about Middlesex. I would not like to say that, that is a question I cannot answer.

Q. What Nova Scotia can do Middlesex could perhaps do?—A. I could not say that.

Q. At how many places in Ontario that you know of where there are trotting associations is there a revenue derived from the bookmaker?—A. Well I think there is a revenue wherever there is a race meeting.

Q. You think so?—A. I am satisfied there is.

Q. You are satisfied?—A. Certainly.

Q. Can you name one place; how many can you name?—A. Well, London is the only one I am particularly connected with.

Q. That is the only one you know of?—A. I only know what they tell me, that is those connected with the race meets.

Q. Just keep to what you know. Do you know of any others besides London?—A. Well, let me see. I will just have to think for a moment. Yes, I do.

Q. What others?—A. Stratford.

Q. What others?—A. Listowel.

Q. Name as many as you can?—A. I will name just those I know of. There is Stratford, and Listowel, and Strathroy.

Q. Of course the Bill would only affect those associations where bookmaking is a source of revenue?—A. Well there may be profits wherever there is a meeting and I believe there is.

Q. Never mind, just answer my question. The Bill would only affect the associations where bookmaking is a source of revenue to the associations?—A. Yes.

Q. That is true?—A. That is true.

Q. So its effect would be limited in that way. Now we had before us on a recent occasion Mr. O. B. Shepherd, of Toronto. You know him?—A. Yes, sir.

Q. And he gave us vague evidence of the same character that you have given us about the number of trotting associations there are in Ontario and I thought it worth while after he had done so to write to the Crown attorney of some of the counties in Ontario to enquire what the facts were. I wrote to the Crown attorneys of forty-three counties and I have returns from thirty-five. Could you make me any estimate of the number of those thirty-five counties in which there is bookmaking on race tracks?—A. Could I make you an estimate of how many counties?

Q. How many of the thirty-five counties that have reported having race tracks that have bookmaking as a source of revenue?—A. No, I think not.

Objection raised to the admission of statements by county Crown attorneys and the objection sustained.

By Mr. Raney:

Q. Are you going to stand by your statement that there are two hundred trotting association tracks that derive a revenue from the bookmaker?—A. I did not say that.

Q. How many trotting association tracks are there?—A. I did not say how many there were. That was only an estimate of my own, I do not know.

Q. Will you say there are fifty?—A. I won't say just how many there are.

Q. Will you say there are twenty or thirty?—A. I won't say.

Q. Will you say there are twenty?—A. I won't say how many there are because I do not know the number.

Q. You said there were two hundred a minute ago?—A. I deny that. I did not say so. I know what I said.

Q. Can you tell us how many tracks there are?—A. I could not tell you the exact number. There must be I should think from 130 to 150.

APPENDIX No. 6

Mr. McCARTHY.—Do you deny there are 130 tracks in Ontario?

Mr. RANEY.—Certainly, nothing like it.

By Mr. Raney:

Q. Now, Dr. Routledge, do you know whether there is any bookmaking in the county of Huron?—A. Well, I believe there is.

Q. Where?—A. In the county of Huron. I will have to study my geography a little bit to get at the different counties. If you will mention the towns, it will catch me easier. Exeter is in Huron. That is one.

Q. Beaton and Wingham?—A. Wingham, Seaforth and Goderich.

Q. Do you know anything about the conditions in the counties of Prescott and Russell?—A. No, I do not.

Q. I am told, Dr. Routledge, that by reason of the pool selling on the great running tracks the attendance at the smaller race meets has very much fallen off, and the people now when they want to attend a horse race go to the Woodbine, Hamilton, Fort Erie, Windsor or Montreal?—A. Well, I do not know that I have attended a running meet for years, so I cannot answer that question, but I cannot see much change in the attendance at the trotting meets.

By the Chairman:

Q. You have spoken of about 200 tracks in Ontario. That you have said was largely from hearsay?—A. It was merely from hearsay, mere supposition.

Q. Would you include in the 200 trotting tracks the tracks of county and township agricultural societies?—A. In some instances, yes.

Q. They would go to make up the 200?—A. Yes.

Q. And they would make up the larger part of the two hundred would they not?—A. They would make up some portion, but the proportion I could not tell.

Q. You could not tell exactly?—A. No.

Q. On the tracks of the township shows and the county agricultural shows where there is probably some betting, on the larger part of them there is neither bookmaking nor pool selling, that is at the county and township agricultural shows?—A. Not to my knowledge.

Q. There is just another question I want to ask and that is, you spoke of the value of horses; you stated that 3.06 was about the time a hundred years ago and 2.24½ fifty years ago, and it is close to two minutes now. And you said that a horse that could not trot within or around 2 would not be of any particular value to-day?—A. I said that he would not be cherished any more than a horse that could make 2.24 would be fifty years ago.

Q. You attribute the better speed record of to-day to breeding, and to development as compared with the record of fifty years ago?—A. Principally to development.

Q. Are there any other causes than those two?—A. Those are the two principal causes, inheritance and development.

Q. Has not the improvement in the tracks and in the harness and sulkeys had a great deal to do with the reduction of the time?—A. We will admit that.

Q. Very largely so?—A. Well, to some extent; yes, largely. I might say, but there has been a great reduction in time by development, we will all admit that; and what I look at is this: if you stop racing you not only do away with the industry of horse breeding, but there are other lines in connection with it which will suffer, such as the manufacture of road carts, speed harness, blankets, boots, hobbles, horse shoes and many other industries. I am just merely giving my experience so that the committee will be able to judge of the condition.

Q. The township of Mosa is in the county of Middlesex, is it not?—A. Yes.

Q. Is that as good a township as any other township in the county for horses?—A. It is good, but not as good for standard bred; I think the counties of Peel and

1-2 GEORGE V., A. 1911

Middlesex are two counties that are as good as any that I have had anything to do with. Elgin also has been good.

Q. I have a petition here—I have not had it up my sleeve for several days, I only got it to-day—it is from fifty residents of the township of Mosa and Newbury in Middlesex county asking that this Bill be passed. I suppose you do not know anything about that petition? There are over fifty signatures to it asking that his Bill be passed by the House.

Mr. BEATON.—Are they horse breeders?

The CHAIRMAN.—They do not pretend to be, but they are residents of the county.

By Mr. Monk:

Q. Do you know any of those people who signed that petition?—A. I do not know many, I know some of them and I know they are not horse breeders, and there are some names there that I am not acquainted with, therefore I cannot say as to them.

By the Chairman:

Q. Some of them are farmers are they not?—A. Well, as far as I knew, but I am not posted as to that.

Q. Well, the county of Elgin adjoining your county, is that as good a horse breeding county as yours?—A. I think Middlesex is best, but Elgin is good although it used to be better than it is to-day.

Q. But it is a good horse breeding county?—A. It is a good horse breeding county; but I might say one thing for your benefit, that during the time the St. Thomas race track was in existence, whether that was the cause or not I am not prepared to say, there were many more good standard-bred horses in that county, than there is to-day. They did away with their track, but they are building another track at the present time and I think it will be in operation next year.

Q. This is a resolution I received to-day; it is dated February 8, although I received it this afternoon, or if not this afternoon this forenoon:—

Moved by W. B. Roberts, and seconded by Arthur Olde, that in the opinion of the farmers of this institute meeting held at Union on the 4th day of February, 1910, that it would be in the interest of the people if Mr. H. H. Miller's Bill *re* Anti-Horse Race Gambling Bill became law, believing as we do that it would not injure horse-breeding, but would add greatly to the good morals of this country.

That was carried unanimously by the East Elgin Farmers' Institute?—A. I know a great many men throughout the county of Elgin.

Q. This is moved by W. B. Roberts and seconded by Arthur Olde; do you know them?—A. Neither one of them is a horseman to my knowledge. I have never known them to have a good horse, that is a good road horse. I do not know anything about the heavy horses.

By Mr. Moss:

Q. Did you ever hear about this Farmers' Institute?—A. No.

Q. You have no knowledge how many trotting horse races are held?—A. No, I do not.

Q. Do you ever attend the horse races?—A. I do not, generally speaking; Montreal, Toronto and Ottawa meetings are about all that I know of. I have never attended one.

Witness discharged.

The CHAIRMAN.—I might as well put in at this stage this telegram:—

Vancouver, February 17, 1910.—Local option league British Columbia, representing twenty-two thousand electors and many thousands others, urge passing of Anti-Gambling Bill.—D SPENCER, Supt.

APPENDIX No. 6

Mr. Moss.—I see this petition to which you referred a short time ago, Mr. Chairman, asks for the suppression of betting altogether. Apparently they are not satisfied with your Bill.

Mr. FRANK NELSON, called, sworn and examined.

By Mr. Powell:

Q. You are the sporting editor of the *Toronto Globe*, are you not?—A. Yes, sir.

Q. For how many years have you occupied that position?—A. Twenty-two years.

Q. And you have had a large experience in horse racing and all matters connected therewith, have you not?—A. Yes, all my life.

Q. Do you know anything about the working, the operation of, the Pari-mutuel machines?—A. I have seen the machine in operation in Quebec, at Toronto, Windsor, and in other places.

Q. Well, now, having regard to the fact that all individuals can bet, what have commendations in its favour with regard to the convenience to the individual bettor, you to say as to the convenience of bettors?—A. To my mind there are many reasons I regard all systems, whether they are bookmaking, the mutuel or auctions, as simply being a convenience for the individual bettor, offering methods through which the different individuals on the race course come together. The operation of the totalizer or the mutuel is legalized in all European and continental countries, France, Germany, Austria-Hungary, Italy, Russia, all the Australian states, with the exception of New South Wales and Victoria, where bookmaking is the only legal system, both the bookmaker and the Mutuel are legal in New Zealand, and there the clubs have not even the option of taking one or the other. If the bookmaker wishes to ply his trade on the race course in New Zealand, the licensed bookmaker, the clubs must permit him to. It is the system in operation in South America.

By Mr. Blain:

Q. Who regulates the license?—A. In New Zealand, the government.

By Mr. Powell:

Q. You mentioned the word 'licensed'?—A. That is the license for the bookmaker.

Q. Do you mean that in New Zealand the bookmakers are licensed?—A. The bookmakers are licensed.

By whom?—A. By the government.

Q. And you mentioned two Australian states; are the bookmakers licensed there?—A. I believe not by the government, licensed by the controlling—

Q. Racing associations?—A. Racing organizations. The Victorian Club in one place and the Australian Jockey Club in another.

Q. Now as to South Africa, have you any knowledge as to the experience of the machine there?—A. The machine has been installed there within the last twelve months as the recognized method of betting, at Durban in Natal and Johannesburg.

Q. The government of New Zealand, I understand, obtains a percentage of the gross receipts of the race course, can you tell us anything about that?—A. Not from the Mutuel.

Q. No?—A. From the gross receipts at the gate. No, it is the gross revenue from the club from all sources.

Q. Now, Dr. Rutherford, you may remember, recommended the installation of the Pari-Mutuel. He happened to mention that he did not think there was any place betting, that is to say on second or third in a race; what have you to say as to that?—A. You can bet in the machine, if the club establishes those machines for that purpose, the same for a place, for second or third place, as to win.

By Mr. McCarthy:

Q. A separate machine has it to be?—A. A separate machine.

By Mr. Powell:

Q. What I mean is you have seen the machines in operation?—A. I think the only occasion I bet on horse racing in fourteen years, I played some horses straight, place, and show in France, in order to get the experience.

Q. It is the only method, I believe, in vogue in France?—A. The only method.

Q. Now, what would you say as to its attractiveness, as affording an opportunity to the bettor as compared with the bookmaker?—A. It does not offer the investor any fixed return. The bookmaker prepares a list of prices, and when a man makes a bet he knows in case he wins the exact amount of his return.

Q. I see.—A. There is no possible knowledge of the returns from the Mutuel, since that consists of a division of the money invested, there can be no knowledge before hand.

Q. You mean to say you would rather see 10 to 1 put honestly than put your money in a hat?—A. I imagine the average investor would rather know definitely what he was going to get.

Q. Yes, I see.—A. Particularly if his aim was, as is very often the case, to win a certain amount.

Q. Well, do you mean by that, Mr. Nelson, that the volume of betting would be greater or less?—A. Well, to begin with, if that were substituted for the present system the percentage of betting would be very much less, people being unaccustomed to the new system. And I think that the operation of it in Kentucky, where it is the only legal method of betting, rather goes to show that it does tend to reduce the volume of betting. On the Kentucky race courses—and I may say that I have had a very considerable share in having the machine adopted in that state—the unit of betting at Louisville is \$5, which stops the heavy betting, the plunging, a thing that all racing clubs have always endeavoured to discourage, because if a man wants to bet in Louisville \$100 he must go through the operation of buying twenty tickets—

Q. Which takes time?—A. Which tickets are all of the one denomination.

By Mr. Sinclair:

Q. Can he only buy one at a time?—A. He can buy as many as he chooses.

By Mr. Powell:

Q. What you mean is that the fact of buying twenty would discourage him?—A. It is an unwieldy operation, yes.

By Mr. Sinclair:

Q. It would take longer to buy twenty than to buy one?—A. It means twenty operations. I mean that a man can go to a bookmaker and put a hundred dollars up and get a ticket in return. If he goes to bet in \$5 amounts in return he must wait until it sells him twenty tickets. There are twenty separate operations.

By Mr. Powell:

Q. What is your opinion as to the likelihood of the machine eliminating the ordinary camp follower on the race track, say the tout and the tipster?—A. To my mind that is one of its chief recommendations. It abolishes or goes to eliminate the camp follower. That has been the experience in Kentucky and after having had the advantage of it in that state for a year the State Racing Association Commission decided that they would not permit any other system but the Mutuel.

Q. Now as to its effect generally on the tout, more especially the man who urges you to bet on particular horses. He cannot offer you any distinct inducement because the amount of the odds is not known. There is not as much temptation to a man to

APPENDIX No. 6

be advised* to put a bet on a certain horse with an unknown return. The inducement is naturally not so great, as to be advised to bet on a certain horse from which the return promised is 10 to 1.

Q. And another reason not to bet, Mr. Nelson, is that if a man advises you to bet on a certain horse and he would bet on the same there would be less to divide—A. The greater number of tickets sold on one choice naturally reduces the proportion, there is a greater number of people to divide it amongst.

By Mr. Blain:

Q. What was the system of betting, for example in Kentucky, prior to the introduction of the Pari-mutuel?—A. Bookmaking, sir.

Q. Do you know the reasons given for the change?—A. Well, the change was the result of representation made by Judge Price and myself to the president of the Louisville Jockey Club, Mayor Grainger, and our urging him to give it a trial. We agreed that the mechanical clearinghouse was preferable to the human.

Q. Why did you condemn the bookmaking?—A. I think the other system is more economical, is cheaper, and the percentage is a fixed amount. It is five per cent in Kentucky, eight per cent in France, and fifteen per cent in South Australia.

Q. Is there any difference from a moral standpoint?—A. Not in the least, sir. It is more of an economical method in a way and one which eliminates the human element. There is no person interested in the result. There is no interested party attacking the public purse. The man who conducts the machine gets his five per cent from the amount of money that is invested regardless of who is the winner and the public know exactly what proportion of the money is to be returned and divided amongst them, and all the money itself less the cost of operation is returned to the investors.

Q. Could an association do its own bookmaking, take the Toronto Woodbine for instance?—A. I am afraid, Mr. Blain, if I gave an opinion on that I may be told, as I have been told before, that my opinion was prejudiced.

Q. That would be all right?—A. Do you mean would it be practicable.

Q. Yes?—A. That would be practically conducting the bookmaking or the betting under the Mutuel system.

Q. Oh, no, I mean not to adopt the Pari-mutuel machine, but simply to eliminate the bookmaker, the twelve or fifteen as the case may be that are now present at the racing meet and allow the association to be the bookmaker?—A. I am afraid not sir, because you would eliminate one of the advantages of bookmaking to the customer, that is the competition.

By Mr. McCarthy:

Q. It would be absolutely necessary in that case for the Jockey club, of course, to employ agents who would stand in the same position as the bookmakers do to-day?—A. Sure.

Q. Making the books?—A. Yes.

Mr. BLAIN.—Why Mr. McCarthy?

Mr. MCCARTHY.—Because there must be men unless you have a machine to do the clerical work and the mental work; the association would have to appoint so many men for that purpose.

By Mr. Blain:

Q. Supposing they appointed responsible men instead of United States book-makers, the association would then be responsible to the public for these men.

Mr. MCCARTHY.—At the present time they are responsible for these men.

Mr. BLAIN.—The difference in my opinion is this, that the men that are now making the books are men who follow the races, and in the other case the Woodbine Association would appoint their own men.

By Mr. McCarthy:

Q. The bookmaking business is not a mere clerical operation, is it?—A. No.

Q. What does it require?—A. It requires what a great many bookmakers have not got, a very considerable capital, that is, as it is operated now, and very much greater ability than most of them possess.

Q. And their mental capacity requires to be high?—A. My experience is that if the bookmakers are allowed to go on for a short time longer they will eliminate themselves, and this question will settle itself; bookmaking as conducted on the race-course nowadays is a losing business. I think I can count on the fingers of one hand the number of men who in ten years I have known to make race course bookmaking a success. The public gets the money.

Q. Then the bookmaker has to have mental capacity and to understand his business in order to be a success?—A. He must.

Q. And if the Jockey Club employ men to make the books if they did not want to lose money they would have to get men of superior mental capacity understanding the business?—A. They would.

By Mr. Blain:

Q. Wouldn't they eliminate one of the chief grounds of complaint from the public standpoint by so doing?

Mr. MCCARTHY.—You might think so, but if you put the Jockey Club into an industrial enterprise, betting with the public, would that be proper?

Mr. BLAIN.—I am not assuming that it would be proper or that it would not.

By Mr. McCarthy:

Q. Have there been any complaints with reference to some of the tracks that you know of, some of the American tracks where they try to make their own books and there was complaint that they should not do it?—A. There is a very decided objection, to my mind, to the people who control the races also controlling the betting, and then again you will not get the competition. The public will get better odds if there are twenty or thirty bookmakers aiming to get the business, and the only way they can get the business is by offering inducements in the shape of better odds. If the business of making the odds were confined to the one person, or to the representatives of one interest only, the bookmaker would get his money in as cheaply as possible, and where the odds should be ten to one he might offer only five to one.

By Mr. Blain:

Q. Pardon me, one of my points was that the complaint is made that if the bookmakers were closed up the average public who go to the races will not have an opportunity to bet for the reason that they do not want to look up their neighbour in order to make a bet with him, that is the point.

By Mr. McCarthy:

Q. Then in that case the Woodbine Association would be betting with their patrons without competition, and the odds would be whatever price the Woodbine chose to set?—A. Whatever price they chose to set.

Q. Now, Mr. Nelson, while you are the sporting editor of the 'Globe,' your experience has not been confined to one branch of the sport?—A. No.

Q. What various branches of sport have you had experience in?—A. Well, almost every branch of sport except golf.

Q. Have you occupied positions in the various amateur associations of Canada, and if so, in what sporting associations?—A. I am honorary president of the Canadian Lacrosse Association, I was vice-president of the Ontario Hockey Association, and have been a member of the executive for seven or eight years. I was president of the Toronto Foot-ball League, and I am president of the Ontario Skating Association,

APPENDIX No. 6

and I am chairman of the Registration Committee of the Amateur Athletic Union of Canada, which is the governing body in amateur sport.

Q. Have you had anything to do with rowing?—A. I rowed, I was captain of a racing club, and was secretary of the Regatta Committee of the Canadian Association of Amateur Oarsmen.

Q. Have you had anything to do with baseball?—A. Yes, I was secretary of the Canadian Baseball League.

Q. You are a man with a large experience in every branch of sport. How do you regard sport?—A. Well, I possibly may be magnifying my own office, but I regard it as one of the most important factors in national life.

Q. Why do you so regard it?—A. Because of the extent and the power of its influence on the national character; I consider it in that regard next to religion itself and I would almost even place it ahead of politics.

Q. Then in speaking of all these branches of sport do you include horse racing among them?—A. Yes.

Q. And do you put it on the same plane as the others?—A. Well, in some respects I put it on a little higher plane. The turf has an interest, a history and a romance of its own, and has attained an importance as the substantial foundation of an industry that does not attach to any form of sport, and the betting on the horse racing has less of sordidness and more of sentiment in it than the betting on any other form of contest that I know of.

Q. Has it been your experience that there has been betting on all forms of sport as well as on horse races?—A. Most men want to back their opinion.

Q. That has been so in all the branches of sport in your experience?—A. Oh yes.

Q. Now as to the honesty of the motive of horsemen in the conduct of horse races, what have you to say as to that?—A. Well, I feel that I do not exaggerate when I say it is my sincere conviction that if we had the same high average of earnest effort in everything in life that, to my knowledge, prevails on the turf—I speak of organized racing—the world would be vastly better off. On the other hand, there may be improper practices which I am not questioning, but I believe honestly that there is more of what represents a lower moral tone and a greater degree of fraud and impropriety on the doorsteps of the city of Toronto every day in the year in the shape of watered milk and light-weight bread than there is in all the race courses in America.

Q. What have you to say as to the endeavour of those who control race tracks to keep them honest and free from fraud?—A. The penalty for improper practices on the race-course is the most severe that can be imposed.

Q. What is that?—A. A man convicted of improper practices—he may be convicted without the evidence that would be required in a court of law, because it is a voluntary institution, and a man who participates in it subjects himself to its authority—the penalty for improper practices in the case of the man means expulsion and exclusion from that business, exclusion from any recognized race track at any place in the world. The National Trotting Association of America recognizes all rulings for fraud by the running branch of the sport and the same reciprocity prevails on the other side, and the same in all countries, and the man who is convicted of improper practices on the turf is outlawed, the value of his property is destroyed, his reputation is ruined, his horses cannot run on any race course nor can they be sold to any other person to run.

Q. Are these regulations and rules vigorously enforced?—A. They are, and I have never known a case of either prejudice or partiality in their enforcement. Quite possibly the reason for that is that the officials are absolutely independent. I am presiding judge at Fort Erie and in Windsor. It is within my authority to say to any man there, any owner, any rider, any trainer, any person holding a license or enjoying any privilege, that he must take his horses away from the track, that he must leave the track himself. That is subject to no revision or supervision with the exception of the committee of the Canadian Racing Association.

By Mr. Blain:

Q. Are we to understand that if a jockey goes wrong in the race, the proprietor of the jockey and the horse are ruled off the track?—A. No, sir. If investigation shows that the jockey was acting at the instigation or instructions of anybody in control of that property, even though it may be the trainer and not the owner, the owner is held responsible for the acts of his trainer.

Q. And then do you say that the proprietor having been found guilty cannot sell that horse to be raced on any track?—A. The horses are included in the rules. The ordinary form for improper practices is that so and so, naming the owner, and the horse, naming the horse, are ruled off.

By Mr. McCarthy:

Q. Then, Mr. Nelson, have you heard in the course of this inquiry during the last few days the names of any men who have been so treated?—A. I do not recollect any.

Q. Having regard for that Central Prison list?—A. No, I do not think anybody in the Central Prison was ever of sufficient importance on the turf to be ruled off.

Q. I see.—A. One of them, the man who is known to the police, I believe, or described by Chief Constable Mains to me as "Gold Tooth" Johnson was at the Fort Erie track and was turned out, and later was arrested for something else, but he had no connection with the turf, with racing. These people do not come to the dignity of being ruled off, the police attend to them.

Q. I understand you have visited the race tracks in Great Britain and France?—A. Yes, sir.

Q. All those in Canada and a great many in the United States?—A. None farther west than Winnipeg or farther east than Quebec.

Q. Have you observed any greater amount of evil, or impropriety, existing on the race track than at any other gathering of a similar number of people?—A. The people who go to the race tracks in this country are not any particular breed that live in holes the year around and come out for the races. They are your neighbours and mine, they are the people who live with us and travel and associate with us and who go to the theatres and the churches, and I believe other forms of entertainment.

Q. Then as to comparing from your standpoint the morality of those engaged in conducting race courses with those engaged in conducting other branches of business in the community, there is nobody in Canada, probably, has as close an inside knowledge as you have?—A. I have never known and I might, if it is not to be put down as hearsay, tell the committee what the late Mr. Nathaniel Dyment told me. He was a gentleman who came into racing rather late in life, I mean actively. He had always been a breeder, but the racing had been conducted by his nephew. He told me—and he had had some of that incurable prejudice that in a great many quarters exists against horse racing—that if he had to deal in the way that he had in business with a number of his employees he would have required bonds to the extent of thousands and thousands of dollars for the faithful discharge of their duties. He entrusted them with the possession and use of extremely valuable property and interests. He said that, of course, he never bonded them—he would if they were employed in his office in the many businesses he conducted,—but he never knew, he said, and he never had a case of his own experience, nor did he ever hear of any instance, where an employer's trust was betrayed.

Q. Has your experience been that there is any more betrayal of trust in the conduct of the horse-racing business than there is in any other branch of the business life of Canada?—A. I really think that considering the opportunities the tone is very much higher.

Q. Then be kind enough to give me your opinion as to what you think would be the effect of horse racing should this Bill of my friend Mr. Miller, as it stands at present, be passed.—A. I think horse racing would disappear in this country.

Q. What do you think would be the effect supposing horse racing continued and individual betting were allowed—as to the demoralizing effect as Mr. Miller describes

APPENDIX No. 6

it, as compared with the present system—or not the present system but rather the past system of doing business with the bookmakers when they were allowed to do business in the stands instead of walking about?—A. If racing were carried on and permission given for individuals to bet among themselves, I think that state of affairs would be eminently undesirable. If a man wanted to make a bet he would go about the track offering money to strangers, to every individual who did not care about betting, who did not know him and did not want to bet. If he did make a bet the money might be put up with somebody who, not being responsibly known, he would never see it back in case he won.

By Mr. Blain:

Q. Are we to understand from what you say that there is a very small amount of money bet on the race track other than with the bookmaker?—A. Comparatively small; yes, sir. A man prefers to go to the place which he knows is established for receiving his money rather than to hunt up somebody.

By Mr. McCarthy:

Q. There is practically no betting if you exclude the hat pools—A. It amounts to nothing.

Q. Outside the bookmakers? Now the bookmakers are regulated and controlled within an enclosure by the jockey club?—A. They are.

Q. That applies to every one of the five race tracks in the Canadian Racing Association?—A. Yes, sir.

Q. Have you ever heard of a bookmaker defaulting or welshing?—A. I have known several who have had to make their customers wait a little while until they got the money, say twenty minutes, until they could borrow from somebody else and then they were not able to continue.

Q. But they have always paid in full?—A. I have never known or never heard of any except one case this winter.

Q. One of these petitions presented by Dr. Shearer spoke of Japan; have you any knowledge with reference to racing in Japan and the betting thereon?—A. Well, I have the knowledge that a man would get who was interested in such things and paid attention to them. I have not heard a great deal of Japan but I have information from France and England.

By the Chairman:

Q. Your own personal knowledge?—A. No, sir, I am just endeavouring to point that out.

By M. McCarthy:

Q. You have not been in Japan but you have read of it?—A. Yes.

Q. In the course of your work and study?—A. Yes I have been in both France and England.

Mr. RANEY.—I do not want to be particular but if signed statements by Crown Attorneys in the province of Ontario are not to be received as evidence, how can these statements be received about Japan when this gentleman has never been there.

Mr. COUNSELL.—You have the opportunity to cross examine.

Mr. MCCARTHY.—There is quite a difference between putting in the statements of county Crown Attorneys who are not here to be examined and accepting the evidence of a witness who says he studies it in the course of his business and who comes here and gives you the benefit of his evidence and the opportunity to cross examine.

Mr. CHAIRMAN.—He said he read it in the newspapers.

Mr. MCCARTHY.—You have the right to give your information as to what the situation in Japan is.

Mr. CHAIRMAN.—As one member of the committee I think we would get along quicker by giving a little latitude.

Mr. MONK.—I think he can speak generally if he has any knowledge.

By Mr. McCarthy:

Q. Japan prohibited racing?—A. Yes.

Q. Then what did they do, what was the result of that?—A. I do not know what the result was, but I know as far as a man can know of things by common report pertaining to his business, that they sent a commission to France and Germany last fall to investigate the working of the Pari-mutuel system, and the announcement was made that it was to be established in Japan.

By Mr. Sinclair:

Q. But they prohibited racing or betting?—A. They prohibited all betting.

By Mr. McCarthy:

Q. You have been in England?—A. Yes.

Q. And you know that betting on the race course while the race is in operation is legalized?—A. It goes on and I have read—

Q. The statute which says it may go on?—A. I have read the Act, yes.

Q. Now it has been stated here, repeatedly stated, that Fort Erie and Windsor race tracks were built for the purpose of affording a race track for refugees from the United States. What have you to say as to that, have you any knowledge on the subject?—A. That is one of the many old-woman's tales that have been circulated in that connection. Fort Erie was built in 1896. There was then, and for many years afterwards, legal betting in the state of New York, in fact betting on the race course there was not illegal until two years ago. Fort Erie was established fourteen years ago, that is sufficient answer to that. With regard to Windsor, I do remember being there some twenty years ago and I do not think it was a very new track then; I mean it was some years old. There is no reason why anybody should go to Windsor to bet when there is in the state of Michigan, or there was last year, and it has been renewed this year, a circuit of eighteen consecutive weeks of racing in the state of Michigan at different places, with open betting. A Hamilton man who is the most efficient pool-seller in America told me that he had sold in one day in Detroit last year \$98,000 worth of pools on the State Fair Grounds in Detroit on the races occurring there that day.

Q. When you speak of betting we do not all perhaps follow you, you mean open betting through the bookmaker or in the pool?—A. Open betting, I thought I said that; open betting either pool-sellers or bookmakers.

Q. Do you know whether racing still continues in the State of Illinois?—A. There is no organized racing in that state. I might say with regard to that—

Q. The Anti-Betting legislation put a stop to that, but there used to be two pretty large tracks in Chicago?—A. I might supplement what I said about the State of Michigan by that there has been no change in the law in that state for thirty years.

Q. As to Illinois, the result of the anti-betting legislation in that state was to stop racing on the big Chicago tracks?—A. No, there has been no anti-betting legislation in the state of Illinois for many years.

Q. Well, Dr. Shearer's petition says there has been?—A. Well, I cannot subscribe to that, that is not my information.

Q. What is your opinion on that subject?—A. That the prohibition of betting has existed in the state of Illinois for a great many years, but there has been no recent legislation. It was not on account of the legislation itself, but on account of the enforcement of what had been a dead letter for a great many years that betting was stopped.

Q. The law was enacted and lay as a dead letter for many years, and then it was suddenly put in force and it put them out of business?—A. The law in the state of Michigan prohibits all betting, but it goes on just the same.

APPENDIX No. 6

Q. It still goes on?—A. And it has gone on with one exception, that the local authorities refused two or three years ago to permit betting on one track, but it went on in the remainder of the state.

Q. You have the opportunity of comparing conditions of the racing in Canada with the conditions of racing in England?—A. Yes.

Q. It was suggested that the condition in England was far superior from a moral standard than ours, what have you to say as to that?—A. I could not see there was any superiority; you mean in the composition of the attendance?

Q. From the general conduct, the moral condition of affairs; we know they have a greater number of horses and a better class of horses perhaps?—A. They have more horses and more good horse?

Q. Yes, but as to the conditions under which the races are conducted from the moral standpoint, are they superior in England to what they are in Canada?—A. In some respects they do not equal us. I mean they do not equal us in the control of the bookmakers and the orderliness of the racing. The bookmakers in England shout their prices and make a great clamour. They cannot do that here and they do not make any clamour.

Q. Then as to the convenience and comfort of the people attending the races?—A. You can get more comfort for one dollar or a dollar and a half than you can get for five times the amount in England.

Q. Can you imagine any way, barring the actual horses and possibly the track itself, in which the race track in England is superior to that in Canada?—A. Some of the tracks are a long way behind those that I saw, so far as the comfort and convenience of the people except among the newer ones and the expenses are enormously greater, there is no comparison, that is so far as the comfort and convenience of the people are concerned. Then with reference to information about the horses they do not compare in the completeness of their programme. There is very little information given in it, and the races finish sometimes at one point and sometimes at another so that the public have to move about.

Q. Now with regard to the rules and regulations for enforcing good order, are they superior to ours?—A. I saw no evidence of it.

Q. You have stated that the rules and regulations of the English jockey club are very similar to those of the Canadian jockey club. As a matter of fact is not the Canadian club modelled on the English club?—A. Very largely.

Q. And the English jockey club recognizes the Ontario jockey club by appointing the president of that body a member of its executive body?—A. He is a member of it.

Q. And the executive of the English jockey club is a very exclusive body, is it not?—A. It is said to be the most exclusive body in Europe.

By Mr. Blain:

Q. Are the presidents of any other jockey clubs in Canada on that executive?—A. I think not.

By Mr. McCarthy:

Q. Mr. Hendrie was the first upon whom that distinguished honour was conferred?—A. Exactly.

By Mr. Powell:

Q. Now, as to the length of the races, having regard to the climatic conditions of Canada did you observe any evidence of their superiority in that respect?—A. I think not. There has been a very steady and decided improvement in the make-up of the programmes for the races in Canada, and particularly so since the organization of the Canadian Racing Association.

Q. That you regard as a step in advance?—A. Beyond any question.

Q. It exercises the control over all the other racing associations, and makes the

rules of one applicable to the rules of the other; they enforce it in that way?—A. Yes, sir.

Q. Now, can you give me some example that you have in mind for the purposes of comparison in the matter of length of racing? It has been suggested that these racing meetings in Canada are mere short sprints—I think my friend, Mr. Raney, called them gambling events. How would a day in Canada and a day in England compare; have you got one in mind?—A. I did compare two days, and I thought—I selected two days that would afford a fair basis of comparison. I took the programme for the St. Leger at Doncaster, the oldest classic feature in England and the longest of the classic races, and I compared the programme of races for that day with the programme at the Woodbine on the day the Jockey Cup is run, which is also our longest May race.

By Mr. McCarthy:

Q. I have got your figures here. The first race in each case was three-quarters of a mile; the second race in England was two miles and one-eighth as against one mile; the third race in England was one and three-quarters and at Toronto one mile and seventy yards?—A. One and three-quarters was the St. Leger. It is just a little over that, one hundred and thirty-two yards.

Q. The next three-quarters of a mile and at the Woodbine two miles and a quarter. The next in England was five-eighths of a mile, and is that three miles?—A. Yes, three miles at the Woodbine.

Q. The next in England seven-eighths of a mile and in Canada one mile and one-sixteenth. That you would call a fair comparison of the length of races under climatic conditions practically the same; you think it a reasonably fair comparison?—A. Horse racing is comparatively modern with us, and in a great many ways it would be hardly natural to expect that we should have attained the standard of racing which obtains where they have raced for two hundred years. But that is what is aimed at, and we have gone a long way in that direction, and I think the comparison of these two days is evidence of that.

Q. There is no doubt in your mind that is the aim?—A. That is the aim.

Q. And there has been substantial progress made towards that end?—A. Very decided. I might say that not only is that the aim, but these different racing associations are not allowed to get away from it. If you will just pass me that little blue book on the table I will read, if I may, a clause of the Canadian Racing Association's rules which applies to all. This is a rule governing all horse racing in Canada. (Reads):—

Only two over-night events for a distance of less than a mile for horses three years old and upward shall be given on any race day; but, should it be found necessary to add an extra race, this rule shall not apply to such a race.

After September 1st in each year there shall be no race for two-year olds less than five furlongs, and no race of less distance than five and a-half furlongs at any time or date for three-year olds and upward.

That is really a little better than the English rule, which allows races for three-year olds and upward to be run at five furlongs. We have set the minimum distance at five furlongs.

Q. Then, Mr. Nelson, Canada has had some success in winning races in other countries?—A. Yes.

Q. Have we ever been ambitious enough to try our luck in England?—A. I think we have not sent any thoroughbreds there. We have sent harness horses that were very successful, and I understand that Mr. Raymond Daly, of Qu'Appelle, has engaged racing quarters with one of the noted English trainers, Sam. Darling. Next month he is shipping to England a colt bred at Qu'Appelle to run at next year's Derby.

Q. Bred at Saskatchewan?—A. Yes, sir.

APPENDIX No. 6

By Mr. Meredith:

Q. To run for what?—A. Next year's Derby. That is, I think, the only instance of horses in this country going over.

By Mr. McCarthy:

Q. The main criticism of the race track seems to be of racing run at a financial loss; there is some evil lurking in its trail; it would not be so harmful to run at a financial gain; what do you say as to that?—A. Well, I think the only answer would be that any institution or enterprise would be very much better if it were run on such a basis at least that it paid its way.

Q. Mr. Raney distinguished yesterday between the time when, at some period in his mind, racing in Canada became what he called commercialized; have you ever had any experience before the race tracks were commercialized and since they were commercialized, as to whether their morals are better or worse?—A. Well, if by commercialized you mean attaining the stage of ability to pay their way, I have had some experience. I have still an account against the original Fort Erie Jockey Club which was conducted by amateurs.

Q. You think the commercializing and the payment of the debts is not as successful as has been suggested?—A. No. I know there was a time when the Ontario Jockey Club had to ask some of its principal winners to wait for their money. I know there was a time when the Hamilton Jockey Club had a very precarious existence and when it was very hard scratching for them to pay the comparatively small salaries of their employees. They have prospered, and they are now in a position to meet their obligations and to increase the extent of their operations.

Q. Are you able to tell me what the effect of the anti-betting legislation in the United States has been, first, upon the races and, secondly, upon the breeding of horses?—A. Well, only in just such a way as I have referred to some other things here, as the result of the observation that a man would get to whom it was some part of his business.

Q. Have you been in Kentucky recently?—A. Not recently.

Q. How long ago?—A. About 8 years.

Q. I thought it had been more recent than that?—A. No, I am acquainted with a number of breeders in Kentucky.

Q. And you have talked with them recently?—A. Only last summer.

Q. You can speak as to what the effect of stopping the racing in New York has been upon horse breeding?—A. Well, in Kentucky—

Q. That is a horse breeding state?—A. Yes. In Kentucky, in the days of the prosperity of racing, their chief market naturally was New York, and the banks of Kentucky loaned money on the crop of yearlings the same as the banks in the Northwest do on the crop of wheat. Because of the destruction of that market very many of the small breeders went out of business, and men like Mr. Haggin, who, I think, sold 500 mares—

Mr. RANEY.—That is all hearsay.

A. No, to a large extent I know it is hearsay, but I say that I am acquainted with a number of breeders who raised horses in Kentucky, and it was from them and what they told me of their own experience, that I have my information.

Mr. MCCARTHY.—That is right, go on.

A. As I say, it was so far as they reported, the stopping of the betting on the New York tracks which had a very disastrous result on horse breeding in Kentucky.

Q. We will leave it in that way. Now it has been stated that there is an objection to the bookmaker because he is not a producer. Does the bookmaker occupy any different position from the broker or the middleman of any kind?—A. The bookmaker is simply a convenience to the individual bettor, that is he is a middleman. All the betting is done by the public, all the money is supplied by the public, and racing is

1-2 GEORGE V., A. 1911

kept alive by the public, and if the public took no interest in it and would not bet no bookmakers would be found on the race course, and there would be no races.

Q. Now, Dr. Shearer said yesterday it would be, he thought—or rather I will put it the other way—he criticised the situation which made of the doing of something a crime in the one place and not a crime in the other. Do any other people besides the race-course people have such a situation arise?—A. Well, I have always understood that it was a principle of law that a thing might be legal in one place and not in another.

Q. We have had some experience in the city of Toronto with that. A preacher can preach in the pulpit, but not in the park. If he preaches in the pulpit it is legalized, but if he preaches in the park it is a crime.—A. If he preaches in the Queen's Park Inspector Archibald comes up with the wagon and takes him away.

Q. So that the same situation exists in other walks of life as in this.—A. Under the city by-laws it is.

The CHAIRMAN.—Mr. Nelson has told us what Mr. Nathaniel Dymont told him was his opinion, and what he has heard from Japan. Would Mr. Moss object to the opinion of Mr. E. King Dodds, and we might ask Mr. Nelson whether he agrees with Mr. Dodds.

Mr. MOSS.—I think it is perfectly proper.

The CHAIRMAN.—As to the matter of the commercializing of horse racing in Canada some years ago, I may say Mr. Dodds is the editor of the 'Canadian Sportman,' of Toronto.—A. He was formerly.

The CHAIRMAN.—He is the late editor, and a man who has had as much experience in connection with the Ontario Racing Association as any other man in Ontario—A. I do not agree with that.

The CHAIRMAN.—At any rate I think we can take it that the late editor of the 'Canadian Sportsman,' who was the editor of that paper for many years, and who has written more than one book upon the horse, is a fairly good authority. I have been reading a work by Mr. E. King Dodds, 'Canadian Turf Recollections and other Sketches,' and I would like to read what he says upon the subject: (Reads).

Though much pleasure was taken out of racing in the days of yore, there was not much profit. The almighty dollar was not appreciated then quite as much as it is at the present time. The Sons of Israel had not swarmed upon the race course trying to occupy every corner where a nimble dime could be made. Men went to the races, not altogether to bet money, but to meet their friends and enjoy a pleasant time. The enjoyment was great but the profits were small. The balance sheet at this Carlton Park meeting, after all expenses were paid, showed a profit of \$79. Yet, strange to say, it was then considered as satisfactory when the income balanced the expenditure. Truly the times have changed. There is now a different class of owners, and the present ones are nearly all out for the dollar.

and then again, writing on the same lines, he says: (Reads).

Really there has not been much growth in the Canadian running turf during the past quarter century. I do not believe there are as many Canadian owners of thoroughbreds now as there was then, and I am quite sure that for genuine love of sport the old timers could give cards and spades to the modern dollar-worshipping owner. Whether there has been as much improvement in the quality of the horses as some latter-day people would have you think is an open question. Modern ways of training and faster tracks are responsible for a good deal of the so-called improvement, but such old time performers as Nettie, Terror, Disturbance, Jack Vandal, Emily, Bonnie Ino, Lady D'Arcy, Jack Bell, Jack on the Green, Bay Jack, and lots of others would be in the money to-day under the present circumstances.

APPENDIX No. 6

Again he says: 'Some of the present day,' I do not know to whom he refers there, but he says: (Reads).

Some of the present day 'know it alls' will tell you that the quality of the old-time sport was away down; don't believe them. They prattle of something they know nothing about. They pretend to think that jobbery then ruled supreme, but there was less temptation to go crooked in those days than now, and the racing in the seventies and eighties will bear favourable comparison with the strictist managed meetings of the present time. There was a little more sentiment then and less of the almighty dollar combination. Men did not pronounce judgment on the success of a meeting by the amount of money they won and the turfmen were ready to gather together and enjoy a pleasant social time, open a cold bottle and not shout 'thief, thief,' when beaten.

Again speaking of the same thing, the commercializing of the betting to-day he writes: (Reads.)

There are some new-fledged turfmen who pretend to believe that racing in Canada thirty or forty years ago was of no account. True, the tracks then were not as fast as now, neither were their furnishings as liberal, nor the purses as large in amount as those offered at the present day, but the charge for admission was small and the public then, as now, were liberal in their patronage. Prominent men from distant sections of the country used to foregather and there was more friendly intercourse and social enjoyment at those early meetings than at the present time. In a word, there was more pleasure and less business, more enjoyment of the racing through enthusiasm for the sport than for the sake of the money that could be squeezed out of it.

And again speaking of the dishonest practices of to-day in a chapter entitled 'The Duty of Canadian Turf Managers,' he writes:

'Eternal vigilance is the price of liberty,' and it can be truthfully said that the eternal vigilance of those who manage our turf clubs is necessary for the proper protection of the public. It is a fact beyond dispute that the demoralization of the turf affairs of the United States has sent into Canada a class of owners of an undesirable kind, many of them owning a few cheap animals and in the game solely for the purpose of making money whether by fair means or foul. When Canadian meetings were not invaded by foreigners to any noticeable extent, the same amount of watchfulness on the part of officials was not necessary, but at the present day it requires the keenest supervision to properly protect the race-going public. Whether or not the men who at the present time are acting as judges at the leading running meetings in this country, are quite able to successfully deal with the matter, is a question which I do not propose to argue, but that there is a tendency to deal too leniently with offending owners is apparent to all close observers. It may be that some officials are afraid of causing scandal if they hew too close to the line. Again, I am afraid that the personal interests of track owners are sometimes allowed to influence the judgment of those who are expected to deal out strict justice without fear, favour or affection being allowed to influence their decisions. The ruinous results from allowing bookmakers to do business at tracks where they own horses competing in the races, has been illustrated at nearly every course on the other side and the injurious combination has had much to do with the present condition across the border.

I have no doubt it will be said by some officials that such a state of affairs does not exist on this side, and that they have expressly taken action to prevent such a combination. I do not deny their statement, but I do declare that in many instances their orders have not been obeyed. Bogus transfers of horses have been made by bookmakers to friends and these in many instances have been done in such clumsy fashion that it was easy of detection if inquired into.

1-2 GEORGE V., A. 1911

Again there are certain owners so closely mixed up with bookmakers that gave suspicion attaches to the combination, and it is not going too far to say that their horses are often run in the interests of those who lay the odds. Much of the trouble is directly traceable to the fact that a low class of Jew gamblers have, during the past few years, invaded the ring and may now be said to practically control it. A liberal percentage of them are absolutely devoid of principle and act on the belief that their mission in life is to get money; make it honestly if they can, but make it anyhow. It does not require a Conan Doyle to detect the chief manipulators in this line of business. Their greed invariable oversteps their prudence, and an experienced turfman, going the rounds of the ring during the progress of a race, can easily spot the conspirators who have a card up their sleeve. One of the most pressing duties which devolves upon the managers of our race meetings is to have at their command the services of a thoroughly competent person such as described above. The information such an official could present to the stewards on duty, immediately prior to each race, would be of great value and it would often defeat any rascally schemes entered into.

There is very much more along the same lines, especially to prove that the thoroughbred to-day is not as good as the thoroughbred of thirty or forty years ago.

Mr. McCARTHY.—What is the object of this?

The CHAIRMAN.—I want to know if Mr. Nelson agrees with the statements of E. King Dodds.

The WITNESS.—Certainly not.

By Mr. McCarthy:

Q. Mr. Dodds has been suffering from an unfortunate affliction for a number of years?—A. I would rather not discuss his personality.

Q. But people have got to know these facts about Mr. Dodds who do not live in Toronto about Mr. Dodds. He has been blind, has he not?—A. Yes.

Q. For a period of perhaps more than five years?—A. I do not think it is any more than that.

Mr. RANEY.—A couple of years.

Mr. McCARTHY.—Excuse me.

The WITNESS.—About three or four years.

The CHAIRMAN.—Has he been deaf also?

By Mr. McCarthy:

Q. Has E. King Dodds been in New York lately to see the conditions there?—A. No he has not.

Q. He has been in the unfortunate position that he could not see if a man were Jew or Gentile on the Woodbine track?—A. Yes, sir.

Q. What age man is Mr. Dodds, do you know?—A. He is a man about seventy something, I think.

Q. Has he been an active participating horseman of late years?—A. No. Mr. Dodds has been living in the past for twenty years. Mr. Dodds is a friend of mine and I do not want to be called upon to say anything against him.

By the Chairman:

Q. He would be living in the past about the age of fifty, Mr. Nelson?—A. As for as active connection with racing is concerned, yes, sir.

By Mr. Raney:

Q. He was editor during all these years of a sporting paper?—A. Yes, sir.

Q. The best sporting paper in Canada?—A. The only one.

APPENDIX No. 6

By Mr. Sinclair:

Q. When did he cease to be editor of the sporting paper?—A. About a year and a half ago, I think. Perhaps not that long ago.

By Mr. Raney:

Q. It was less than that?—A. I do not remember the date although I was offered the property.

Q. He owned the paper did he not?—A. Yes.

Q. He owned the property?—A. Mr. Dodds is a gentleman of very extreme language who arrived at the habit of letting it get the best of him, using very strong language.

Q. He is a man of very good character?—A. Yes, sir.

By Mr. Raney:

Q. The very best type of horseman?—A. Yes, he had his personal characteristics.

Q. A man who has sacrificed a great deal for the horses of Ontario?—A. I have no knowledge of that.

Q. He is a very brilliant man?—A. A man of very considerable ability in some lines.

Q. But in this line, the horse line?—A. Yes, I think he had a very great gift of expression.

Q. Do you know of anybody in Canada who has had longer experience of the turf than he?—A. I do not think that Mr. Dodds' experience or connection with the turf was in an active capacity.

Q. Did he not make a study of it for a great many years?—A. I believe he did, but entirely from the outside and he had no connection with the—he is not personally acquainted with the conditions of racing or the government of racing in Canada, since it became organized.

Q. Since it became commercialized?—A. I said organized.

Q. Since how long?—A. I do not know whether he had ever anything to do with the conduct of race meetings since—

Q. A man does not need to know something about race meetings?—A. He has not been in the habit of attending race meetings away from Toronto for a great many years except on an odd occasion.

Q. I suppose the Woodbine would be good enough?—A. It was good enough for me, yes sir.

Q. What is your official connection, if you have any, with the Canadian Racing Association?—A. I have none at all, sir.

Q. What is your official connection with the race tracks which form the units of that association?—A. At present.

Q. Yes. —A. None at all.

Q. What was it in 1909?—A. In 1909 I was a judge at the Woodbine, a steward at Blue Bonnets, a judge at Hamilton, and either a judge or a steward at all the meetings.

Q. Then you followed the races around for the whole 128 days?—A. 126 there were some days that overlapped.

Q. I think the judges receive \$100?—A. Unfortunately no. They may be worth it, but they did not get it.

Q. How much do they get?—A. Well it varies.

Q. Is there not a regular schedule?—A. No, sir. It is a matter of arrangement between the—

Mr. COUNSELL.—I do not suppose this is material.

The WITNESS.—I have no objection to telling it.

Mr. RANEY.—Let him tell it.

The WITNESS.—It depends upon the duties.

By Mr. Raney:

Q. Just tell us what your income is from these five tracks?

Mr. McCARTHY.—What has Mr. Nelson's income got to do with the matter any more than Dr. Shearer's? It is not fair to protect one man by saying it is not right to inquire into his private affairs and then to allow questions into the private affairs of another.

Mr. CHAIRMAN.—I think if Mr. Nelson objects to telling—

The WITNESS.—I have not the slightest objection. I consider that I give value for all my services. I never applied for a place on the race course and never will.

By Mr. Raney:

Q. Then just tell us.—A. I was paid \$25 a day at most places and \$40 at Fort Erie where I was judge and steward as well.

Q. Are the stewards all paid?—A. No, sir. Some of them are in the fortunate position that they do not need it. I am not.

Q. You recall the late Mr. Pierre Lorillard, I suppose?—A. I did not know him, I knew of him.

Q. Was he a high type of sportsman?—A. I believe so.

Q. He retired from the turf some years ago?—A. He died.

Q. He retired before he died?—A. I was not aware of that. In fact I thought that from breeding he did not retire, he may have retired from actual racing.

Q. I will quote what he says of bookmakers as a class and ask whether his statement agrees with your experience. This is what he said in the *New York Tribune*:—

'I am very much opposed to the bookmakers, because they rob the public and they rob owners of horses. There is no fairness in their dealings. All bookmaking is against the horses. A bookmaker, of course, could not live unless he bet against horses, and in the course of plying his trade he steals stable secrets and buys up jockeys and trainers. The bookmaking system is, therefore, demoralizing to jockeys and trainers, and hurtful to everything and everybody connected with racing. The bookmakers are, with few exceptions, rascals who would be fit subjects for the prison when their more profitable trade of robbing the public on the race course is at an end. We have outlived the necessity for these fellows.'

Mr. Lorillard was a man who ought to know, was he not?—A. Mr. Lorillard had a large stable of racers in the United States and in England. He won the Derby and I think continued to race until he was incapacitated by illness. He continued breeding race horses and that may account for the source of the publication.

Q. The source of the publication?—A. I mean the publication.

Q. 'The New York Tribune' is a reliable organ?—A. 'The New York Tribune's' racing staff is a long way from being reliable and that paper was particularly vicious against Canadians.

Q. In the same class I suppose as E. King Dodds?—A. It hounded Charles Boyle for twenty years.

Q. Is telegraphic information supplied from all the tracks that you have spoken of during the progress of the race meets, the Woodbine, the Hamilton, the Windsor, the Fort Erie and the Blue Bonnets?—A. There is a telegraph office on the tracks.

Q. For the purpose of transmitting telegraphic information?—A. It could not send letters.

Q. You know what they are there for?—A. I use them very frequently.

Q. You know they are there for the purpose of transmitting advance information?—A. I do not know that.

Q. You do not know that?—A. No, sir.

Q. You never heard that?—A. I never heard that was what they were there for.

Q. You know that is done over them?—A. I believe so, yes.

Q. On all these five tracks?—A. I believe so, but I have no knowledge of it at all.

Q. You know what the Interstate News Company is?—A. No, sir.

APPENDIX No. 6

Q. I should have thought you would. You know there is an organization which gets information from these tracks for distribution among the poolrooms?—A. I do not, sir. I know the Western Union at one time did that. Whatever occurred that the Western Union abandoned it, I have no knowledge of it and I do not think there are any pool rooms in the eastern part of the States.

Q. Are you sure?—A. That is my information from people who would be likely to know.

Q. My information is that there are many of them in New York State.—A. Poolrooms.

Q. Yes?—A. New York has none, at all events it is said there are not any.

Q. At all events you heard the evidence of Mr. Fraser when he stated that the Ontario Jockey club derived a revenue during five preceding years including last year, from the sale of advance information to the Interstate News Company?—A. I heard whatever Mr. Fraser said.

Q. You know that information was required for use in the poolrooms?—A. I do not know what it was for. I do not know how it was used. My information consists in hearing what Mr. Fraser said, and as I have already stated I do not know what the Interstate News Company was, and I never knew how that sort of information was transmitted since the Western Union Company abandoned it.

Q. You know that a revenue was derived from the sale of it?—A. I heard Mr. Fraser say that.

Q. Can you imagine any other reason for paying for this advance information unless it was for the use and information of the poolrooms?—A. They might supply it to the handbooks or to any person interested in it.

Q. For the purpose of betting?—A. For whatever the people wanted it for.

Q. You do not approve of poolrooms?—A. I do not.

Q. You think they are disreputable?—A. I do.

Q. What would you think of a reputable association which by that source of revenue raised a surplus of \$70,000 and which would still sell information in that way to be used in contravention of the laws of a foreign state?—A. I do not know that they are in a position to avoid it.

Q. Why not?—A. They could not by any possibility apparently keep them out of it. In New York where they spent thousands of dollars in the attempt they have not succeeded in doing so.

Q. Does not the Woodbine control its own track?—A. Yes.

Q. Why could they not keep them off the track, the telegraph?—A. Yes, that might be done.

Q. Could not that be done by reputable sportsmen?—A. I do not know what sort of force you are going to employ.

Q. You have said the poolrooms are disreputable?—A. I should not think it was disreputable to suppress the poolrooms if there is any method of working it out.

By Mr. Sinclair:

Q. Do you think it is practicable to prohibit the sale of advance information? It is proposed by this legislation to prohibit telegraph companies transmitting this information to the people who want to buy it in the United States for example?—A. To prohibit the telegraph companies from doing so?

Q. Yes?—A. I suppose if every message that was filed with every telegraph company was scrutinized and those that were in the code were extended, it would be possible.

Q. Would it be very easy to evade it by adopting a code?—A. Oh yes.

Q. There would be no trouble at all in doing that?—A. Not the slightest, that is what is done now.

Q. You think no legislation that would be enacted on that line would be effective?—A. I do not think it could be done.

J-2 GEORGE V., A. 1911

By Mr. Raney:

Q. Of course, the telegraph companies only handle public business, they have no interest in it?—A. You can have as much secrecy in any kind of message as you wish because you can put it in any language or any code you choose.

Q. My information is that these wires that carry this information are leased wires, it is necessary that it should be, is it not?—A. I do not know enough about the operations of the telegraph companies to tell you.

Mr. McCARTHY.—Is it intended to stop newspapers publishing results of races?

Mr. RANEY.—We will deal with that afterwards.

Mr. McCARTHY.—I cannot see how you can stop it going to one office and not to another.

By Mr. Raney:

Q. It is reported that the poolrooms have paid \$10 a day for the privilege of getting the advance information from each track in the country?—A. I suppose the telegraph company would not supply it for nothing.

Q. And that the telegraph company paid the racing associations for it?—A. So Mr. Counsell said.

Q. And it was done in Hamilton, Mr. Counsell said, and you heard the statement that in one year something was done in Montreal also in that way.

Mr. MEREDITH.—I said for the first year there was certain information sold to the telegraph company but I did not know where it went to, I have no information where it went to.

By Mr. Raney:

Q. And you say there are instruments also in the Fort Erie and Windsor tracks?—A. Yes, I do a great deal of my work there; both companies have offices on all the tracks.

Committee adjourned.

HOUSE OF COMMONS,

COMMITTEE ROOM NO. 32,

FRIDAY, February 18, 1910

The committee resumed at 8.30 p.m., the Chairman, Mr. Miller, presiding.

The examination of Mr. FRANK NELSON continued.

By Mr. Raney:

Q. I understand you did not agree with the suggestion that the establishment of the tracks at Fort Erie and Windsor were subterfuges to get over the anti-race-track-gambling laws of Michigan and New York?—A. No.

Q. They just came there as legitimate sporting propositions, as good as the Woodbine, I suppose?—A. I do not know what your understanding of 'legitimate sporting proposition' is, I do not understand why you limit it in any way.

Q. Well, in any way at all?—A. They are just the same as any other races, or any other form of entertainment.

Q. Are they legitimate racing associations, as a legitimate jockey club, if you like, as the Woodbine?—A. Oh yes.

Q. Quite as legitimate?—A. Quite as legitimate.

Q. And quite free from any suggestion of any impropriety in any way?—A. In any way, yes.

APPENDIX No. 6

Q. And were not originated for the purpose of evading the law of the neighbouring State?—A. No, sir, there was no such law to evade in New York.

Q. Are you quite sure about that?—A. Quite sure.

Q. We will see about that. When was the Fort Erie track started?—A. In 1896.

Q. Do you remember the amendment to the New York constitution in 1894?—A. The Percy Grey law?

Q. No, before that, the amendment to the New York Constitution?—A. No, sir.

Q. You never heard of that, is that so?—A. Unless you are more specific I cannot say that I do.

Q. I find that in 1894 at the State Convention, this section was added to the constitution of the State of New York, section 10—

Mr. COUNSELL.—I am going to take exception to Mr. Raney making these statements verbally and orally as he has been in the habit of doing, putting a certain case to a witness as a fact and never substantiating that fact afterwards, but getting the witness' reply upon it. If he is going to substantiate it later on, well and good, but if he is not it should not go in.

Mr. RANEY.—Section No. 10—

Mr. COUNSELL.—I am going to ask for a ruling on this point, Mr. Chairman, I may have made myself absurd, but I have not yet attempted to deceive the committee in any way. Mr. Raney has put questions to a witness containing statements of alleged facts which he has undertaken to substantiate afterwards but which he has never substantiated, and I object to him repeating that practice.

The CHAIRMAN.—Go on, Mr. Raney, please.

Mr. RANEY.—Section No. 10 of the Constitution of New York as amended in 1894 is as follows: 'No law shall be passed abridging the right and title of the people peaceably to assemble and to petition the government, or any department thereof—nor shall any lottery, or the sale of lottery tickets, pool selling, bookmaking or any other kind of gambling be hereafter authorized or allowed within this State, and the Legislature shall pass appropriate laws to prevent offences against any of the provisions of this section,' you did not know of that?—A. That is not a law.

Q. You do not know that amendment to the Constitution of New York?—A. I do not know what you refer to because there are probably a great many amendments.

Q. Did you know of that amendment to the New York Constitution when you gave evidence before the adjournment?—A. Yes.

Q. You did not mention it?—A. I did not.

Q. It did not occur to you that this amendment to the New York Constitution might cause the race track people to get beyond the reach of the laws of the State of New York?—A. It did not occur to me because I knew there was no necessity to get beyond the reach of the law.

Q. You knew that the people of New York did not intend to implement this section?—A. I cannot say as to their intention, but I know that betting went on, there was a race course in Buffalo at that time where betting went on.

Q. Are you prepared to say that the institution of the track at Fort Erie was not in consequence of the dissatisfaction with this amendment to the New York Constitution?—A. Yes.

Q. You are prepared to go a long way?—A. If there was a law prohibiting betting in the State of New York at that time there was no attempt made to enforce it.

Q. Are you interested in any race track financially?—A. No, I am interested simply as a citizen who is, I hope, as desirous of the welfare of his fellow citizens as any other people are and who seeks to preserve his own liberty.

Q. You are absolutely independent?—A. Absolutely, I have no interest in any racing property in Canada.

Q. Being entirely disinterested you can see no connection between the establishment of this track at Fort Erie and the amendment to the New York Constitution?—A. I am convinced it had nothing to do with it for the very reason that at the time the Fort Erie track was built there was a race track and public betting in Buffalo.

1-2 GEORGE V., A. 1911

Q. That might be true but the same thing would not apply to Detroit and to the opening of the Windsor race track.—A. I do not know, I was on that track twenty years ago.

Q. I think not. My information is that it was started in 1895—I do not mean the track, but the American invasion?—A. The Windsor track I do not think was ever owned by Americans.

Q. I do not say that it was, but that the Americans came over in 1895?—A. There was a Windsor Racing Track and a Windsor Jockey Club in 1889, I think.

Q. I will read you from the Encyclopædia Britannica, the American edition: 'In 1895 some American promoters established themselves at Windsor, Ontario, just across the river from Detroit, and brought the sport into great disrepute in that part of the province.' Do you dispute that?—A. I do, certainly.

Q. You are prepared to dispute that good authority?—A. I am prepared to dispute anything that does not agree with my own experience.

Q. Has this sport been brought into disrepute?—A. With whom?

Q. With anybody, the public at large?—A. There is an incurable prejudice against racing with some people.

Q. Has racing been brought into disrepute among people in any way?—A. No.

Q. Do you know Mr. A. H. Clarke, of Essex?—A. Yes.

Q. Did you hear his speech?—A. I heard his speech read.

Q. Do you know what he says?—A. I am not very clear as to what he did say.

Q. This is what he said. (Reads):

I happen to reside in a city where we have horse races, where there is a great deal of betting, and I can say that there is no greater curse to the community than this race track. The horse races are incidental; the gambling and betting is the main issue. I know nothing that has ruined more young men in that vicinity than this very race track. It has been my experience to have to prosecute several young men who were in trusted positions, but who had squandered the money of their employers, all traceable to this race track.

What do you think of that?—A. That is Mr. Clarke's view, and he is entitled to it.

Q. Do you dispute it?—A. Do I dispute that it was a great curse to the community?

Q. He was there at the time?—A. I am saying that is his view.

Q. He was the prosecuting attorney at the time?—A. Yes.

Q. He ought to know?—A. Yes.

Q. And he ought to know better than you?—A. Yes.

Q. I thought so. He says horse racing was incidental to the gambling?—A. That is a great error. To my knowledge of the Windsor track at that time there was a pool room outside the Windsor race course.

Q. You need not speak about anything outside the Windsor race course?—A. I think that is what he was referring to.

Q. No, no. 'I know of nothing that has ruined more young men in that vicinity than this very race track.' What do you think of that?—A. Is he speaking from his knowledge?

Q. Is not his knowledge a better knowledge than yours?—A. I know he goes to the track himself; he should know.

Q. 'Squandered the money of their employers, all traceable to this race track.' Surely, when we think of all the misery and unhappiness that has been caused by this gambling on the race track, we require more stringent legislation than we have at present?—A. Mr. Clarke has probably changed his mind under improved conditions.

Q. You think the conditions have improved?—A. They have been improved. I think there were meetings there for longer periods than I would have favoured.

Q. Were the meetings all properly conducted?—A. All that I have any knowledge of.

APPENDIX No. 6

Q. And this track was not started to evade the laws of the State of Michigan, you say?—A. I should not think so.

Q. But do you know?—A. I know there was no necessity to evade that law.

Q. I know that the law of Michigan was 'All running, trotting or pacing of horses or any other animals for any bet or stake, in money, goods, stocks or other valuable things, except such as by special law is allowed, shall be deemed criminal, and is hereby declared unlawful'?—A. A dead letter.

Q. That was in force at that time?—A. It has no force at present.

Q. Might there not have been a spurt of enforcement at that time?—A. I do not think so; I never heard of it.

Q. May they not have inferred that it would be enforced against them?—A. I see no reason why they should; it has not been enforced there. I am saying that as long as I can remember there has been no enforcement, except in one or two localities, of the prohibition against betting in the State of Michigan.

Q. Then I want to know just covering the two race meetings, Windsor and Fort Erie, neither of which tracks you say, notwithstanding these things I have read to you, was started, so far as American interests were concerned, to evade and get away from the laws of Michigan and New York?—A. I am decidedly of that opinion.

Q. Then we will get down to information that is even better. You are sticking to your opinion and I am trying to correct it. Do you know the gentlemen who are the shareholders in the Fort Erie track?—A. Some of them.

Q. Who are they?—A. Mr. Madigan.

Q. What is his name?—A. John H.

Q. Who else?—A. Mr. Cella.

Q. Louis H. Cella?—A. Louis A., I think.

Q. Yes.—A. I saw Mr. Condon once.

Q. Yes, John Condon.—A. I think that is all that I know. I don't know who the shareholders are, but I remember they are shareholders.

Q. There is a man named Dan. A. Stuart, who is now said to be dead.—A. Died last year.

Q. These men are all Americans?—A. Well, Mr. Madigan is a Canadian by birth, I believe.

Q. I find him reported at the parliament buildings, Toronto, as of Houston, Texas. In every year's report to the Ontario government until this year. A few days ago he described himself as of Simcoe, Ontario; where does he live?—A. I see him whenever there is racing at Fort Erie, and during the summer I see him in Toronto.

Q. Where is his family?—A. Sometimes in Simcoe, sometimes with him, and sometimes in Buffalo.

Q. Is his home not in Houston, Texas? A. I think he has some very considerable business interests in Houston.

Q. Is his home not in Houston, Texas; he is described in all these returns as of that place?—A. I think he spends the greater part of the winter there. I have had letters from Houston.

Q. Has he a house at Buffalo?—A. He had a house there, I do not know who owned it. I do not know whether he owned it or not.

Q. He is an all round sport, is he not?—A. I think he is.

Q. Do you know whether he is the proprietor of the aggregation of game cocks I spoke of called the 'Texas Rangers'?—A. I heard you say something about it.

Q. You never heard of them?—A. I never heard of anybody travelling around the country with a lot of game roosters.

Q. You heard he was the proprietor?—A. I never heard of such a thing as an aggregation of game chickens.

Q. Have you heard that he was the proprietor of any other business?—A. I have heard him talk of other lines of business he was interested in.

Q. What other lines of business?—A. Some oil lands and I think some rice plantations in Texas.

J-2 GEORGE V., A. 1911

Q. Was he operating them?—A. I could not say who was. I do not know the details of his business.

Q. Is there any other race track he is interested in besides Fort Erie?—A. I do not know of any.

Q. Do you know of any other that he has been interested in?—A. I do not think he ever was.

Q. Do you know that he is one of the owners of the Interstate News Company?—A. I do not.

Q. You never heard that?—A. I never heard it, and I doubt it very much.

Q. Do you know that Cella and Adler were running a race track out of St. Louis before the Folk law went into force?—A. I know it by report—

Q. Yes.—A. That they control several tracks in the city of St. Louis. The Fair Grounds—

Q. What tracks?—A. The Fair Grounds and Delmar Park.

Q. Who controls them?—A. I think Mr. Cella was president of the company.

Q. And Mr. Adler?—A. I do not know Mr. Adler. I do not know that I ever saw him.

Q. And McGinn?—A. Mr. McGinn was clerk of the scales.

Q. And McGinn was also clerk of the scales at Fort Erie.—A. Yes.

Q. How long has he been there?—A. Since the new company has had control.

Q. He is part of the aggregation also. You know these people controlling these tracks were put out of business at St. Louis?—A. All the tracks in St. Louis were put out of business.

Q. You know that these men controlling the tracks were put out of business?—A. Yes.

Q. How many tracks did they control?—A. I recall two, the Fair Grounds and Delmar Park.

Q. Was one of these tracks the Electric Light track?—A. No.

Q. Was McGinn secretary of that?—A. That is so far back I have no particular knowledge. That must be eighteen or twenty years ago.

Q. Then these men Cella, Adler and McGinn came to Fort Erie after being put out of business at St. Louis?—A. Subsequently, yes.

Q. Do you think it is improper to describe them as refugees?—A. Certainly.

Q. As race-track refugees?—A. Certainly.

Q. You do?—A. Most improper.

Q. Most improper.—A. Mr. Cella is a man I have no knowledge of, or rather no inside knowledge of his affairs, but I know he is a man who conducts a great many industries in St. Louis.

Q. Is he a poolroom proprietor?—A. There are no poolrooms.

Q. Is he a poolroom proprietor?—A. Not to my knowledge; I should say he is not.

Q. Is he a bucketshop proprietor?—A. I do not know.

Q. Is he a broker?—A. He is the president of a realty company. I see these things on his letter heads, and hear other people tell it, but I have no personal knowledge.

Q. Does he attend the Fort Erie track?—A. He comes there occasionally.

Q. And Adler, does he attend?—A. I never saw Adler that I know of. He might come there, however, and I not see him.

Q. McGinn is their manager?—A. No, he is clerk of the scales.

Q. And he is there while the races are on?—A. Oh, yes.

Q. Then Farmer, of Nashville is connected with the Windsor track, he is the active man?—A. He is the active man, the secretary.

Q. Has he any other business besides the race track business?—A. He is a farmer and a breeder and has a very large place in Tennessee.

Q. What other tracks is he connected with besides the Windsor track?—A. None that I know of, I am sure he has none or I would know.

APPENDIX No. 6

Q. How long has he been there, since he sold out at Fort Erie?—A. No. They had the Windsor track before that.

Q. Hendrie and Parmer controlled both the Fort Erie and Windsor tracks for a while?—A. For a time, yes. There were other shareholders in the club, Mr. David Wheelihan.

Q. In the club, the Windsor Club?—A. I do not mean the Windsor Club, but in the club which was the operating body, the Highland Park Club.

Q. Where?—A. Fort Erie and Windsor.

Q. They covered them both?—A. Yes.

Q. Is there an incorporation at Windsor?—A. The literature, the programme, the stakes and all the announcements sent out to owners are those of the Windsor Driving Park Association, the W.D.P.A., I think they call it.

Q. Is there an incorporated association?—A. Yes.

Q. Where is it incorporated?—A. In Toronto, I suppose.

Q. Are you sure?—A. Well I do not know. Anyway I know a gentleman who told me that he sold a great deal of stock he had in it.

Q. I could not find any trace of the club?—A. The Windsor Driving Park Association?

Q. Oh yes, the Windsor Driving Park Association?—A. That is the one I referred to.

Q. I am not referring to that, Parmer is not connected with that.—A. Yes.

Q. No, Parmer and Hendrie are connected with the Windsor Racing Association?—A. Mr. Parmer and Mr. Hendrie are the chief owners of the Windsor Driving Park Association.

Q. Do you know Mr. Hanrahan?—A. Yes.

Q. He is secretary?—A. Secretary of the trotting meet.

Q. Do you say they are both connected under the same name? Both the trotting and racing?—A. Yes, sir. I was told by Mr. Kennedy, manager of the Windsor Gas Works, that he had sold some of his stock in the Windsor Driving Park Association.

Q. Then he must have misinformed me. He told me that he had nothing to do with Hendrie or Parmer, that they were only the lessees of the track; do you know Condon?—A. I have seen him.

Q. Is he interested in Montreal?—A. I could not say.

Q. Do you usually see him there?—A. I have never seen him but once in my life.

Q. Do you know whether he is interested in the Juarez track in Mexico?—A. I do not know.

Q. Do you know whether the Juarez track has its poolroom?—A. I do not think it has a poolroom.

Q. Which occupies towards the track in the United States, I am told, the same relation as the Windsor and Fort Erie tracks do?—A. I do not know where you get your information, Mr. Raney, but you have an enormous amount of information that contains a grain of truth and a very great deal of—

Q. Is there anything disreputable about the Juarez track?—A. The Juarez track? I know some of the gentlemen who are interested.

Q. Yes?—A. There is Mr. J. G. Follingsby.

Q. I just asked you if there is anything wrong with it.—A. I think there can be nothing wrong with any institution that gentlemen of his calibre would be connected with.

Q. Then it is just as good as Fort Erie and Windsor, and these three tracks are on the same basis, in this respect at all events, that they supply news to the poolroom and handbook men of the United States.—A. I do not know what they do in Juarez, Mr. Raney, and I do not think it is fair to suggest that I am saying that.

1-2 GEORGE V., A. 1911

Q. Perhaps Juarez may be on a better and higher plane?—A. Possibly, I cannot give you any information on that point.

Q. Do you think there is any improvement necessary in connection with these Canadian racing association tracks?—A. I have never seen any institution that I would say was perfect. I think if I had sole control of almost anything with which I am connected I could make some changes. Whether those changes would be improvements or not would be determined by the results.

Q. Can you suggest any improved method apart from the Pari-mutuel?—A. I do not believe there will be any objection from any persons if the bookmakers, or whoever do the betting, are put in some place by themselves where there will be no crowding or jostling.

Q. Put on the stools as they were before, or something of that sort?—A. Put under such arrangement as the club could put them when they had power to locate them; in an obscure portion of the grounds.

Q. Why in an obscure place?—A. Because they wanted them out of the way.

Q. But they are the whole tip, as Mr. Clarke says?—A. Not to the jockey clubs, they are not the whole tip to the jockey clubs; that is another of those sayings I do not subscribe to.

Q. I thought from all your argument that from the financial point of view they were the whole outfit almost?—A. I do not think I offered any argument from the financial point of view at all.

Q. I understand that the jockey clubs could not exist without them?—A. They could not exist without the privilege of betting, I do not say they could not exist without the bookmakers.

Q. But why put them away in an obscure corner?—A. For the reason that it is desirable to put them there, I think.

Mr. McCARTHY.—You have been misrepresenting, from the first witness you put in the box, Mr. Raney, that we looked upon them as the mainstay. Nobody has said that, nobody has said that from this side of the House at all.—A. It is the policy of the clubs, as far as I know, to make the desirable and the more approved features of racing the more prominent. If the clubs could get along without anything that would have the least taint of undesirability they would be glad to do it.

Q. Then do you recognize it as having a taint of undesirability?—A. I recognize the necessity of betting, and I look upon the present system as being one which could be improved.

Q. If it could be got along without, bookmaking or any other system—A. Without any betting?

Q. If they could get along without any bookmaking would you like to see it done?—A. I would.

Q. So you think it would be an improvement if bookmaking could be abolished and the races could be financed on a sound basis?—A. As far as I am concerned I think it would be an improvement to have racing without betting, but I consider that to be quite an impracticable point to discuss.

Q. But if you did away with bookmaking there would be no betting?—A. I could not subscribe to that, you are going to have some betting.

By Mr. Blain:

Q. In what way would there be an improvement?—A. As the system is now such is the result of an attempt which I am going to take the liberty of describing as an attempt on the part of some people to deprive their fellow citizens of the privilege which I consider parliament granted them, the right and the liberty to bet on a race course. As the result of the attempt to suppress that and to prevent the people from enjoying that liberty which was given them, they have got such a twist in the law as might almost be compared to an effort to increase the spread of it. The clubs put the bookmaker out of sight as much as possible, but under that decision now they are

APPENDIX No. 6

brought out and scattered among the crowd, and they are in the place where the public want to stand and enjoy the races. If it is left to the club which has charge of that particular ground they would be put in an enclosure and that part of the ground would be left free for the use of the public, and such people as wanted to bet would be able to go to the enclosure where they were and do so.

By Mr. Raney:

Q. And the people who are offended by the sight of the bookmakers would not be so offended?—A. They would not. I think it would be very sound policy for any institution that caters to the public to any objection, whether the objection were well founded or not, because it must depend upon the public for its continuance.

Q. I notice that in this evidence before the Senate Committee at Washington that the poolroom service from Canada is the same as from Juarez, Mexico, I think you said you could not be sure about that?—A. I know there are telegraph offices on all race tracks.

Q. There are telegraph offices on all Canadian race courses you have spoken of?—

A. On all race courses I have ever been at.

Q. To transmit this information?—A. I do not say this information, but to transmit any messages that are handed in. I have no personal knowledge.

Q. As a matter of fact and actual experience in these places you know it is done?—A. For a time I understood it was not done after the Western Union abandoned it; whatever has been done since has been apparently on a very limited scale.

Q. What has been the limit of your experience on the race track?—A. Since I first went on the race course?

Q. Since your first official experience?—A. I was first an official of the Toronto Exhibition, that I suppose is 18 years ago.

Q. How long have you been connected with running tracks as an official?—A. About 15 years.

Q. And from that time to this you have been steadily connected with it?—A. Yes.

Q. Attending all these meets each year?—A. As many as possible, and I have been in Quebec and Winnipeg.

Q. There was something said before this Committee, I think I ought to refer to it, about your paper, *The Globe*, publishing racing odds?—A. Yes.

Q. I suppose you are responsible for that?—A. I am supposed to be responsible for all that appears on that page.

Q. Of course you do not under any circumstances publish such advertisements as these, what are these (document produced)?—A. These are advertisements offering all the good things and promising to make a man rich for an expenditure on information which you can get for 50 cents, and as a practice—

Q. These are tipsters advertisements?—A. The advertisements of swindlers which I have always thought could be dealt with under the present law as they are of people offering for sale what they have not got.

Q. You were going to say something about professional practice, I think?—A. I was going to say that I conferred with the business manager, who controls the policy of the advertising columns, and he agreed to refuse any such advertisement as that a great many years ago; we would not take it at any price because, as I say they are swindlers; four or five of these advertisements appearing under different names are possibly all inserted by the same man. The people who do that sort of thing are excluded from the race course.

Q. You quite agree with what everybody else agrees with here, that that kind of thing is undesirable and ought to be prohibited?—A. Any kind of swindling ought to be prohibited.

The CHAIRMAN.—The *Mail & Empire* does not publish those advertisements?

A. No, it has not for some time.

By Mr. Raney.

Q. Only one paper in Toronto publishes these, I do not want to mention names?
—A. I have only seen them in one.

Q. It is not necessary to mention the name of the paper. Then you publish the odds? Now would you tell me what the purpose is in publishing the racing odds except to assist the handbook men?—A. The same purpose, sir, as the publication of any matter of news or record serves.

Q. Is it interesting to anybody except the people who are handbook men or the people who are betting with the handbook men?—A. Very.

Q. It is?—A. It is interesting to me and I never bet with the handbook men or anybody else.

Q. You think it is read by people who do not bet with the handbook men or are not handbook men themselves?—A. I am quite sure of it.

Q. And people take advantage of this publication made for other purposes?—A. No, they do not, the handbook men are not going to accept the *Globe* as the authority upon which to decide their business.

Q. Well, I understood that the evidence was that the handbook men paid on the odds as recorded in *The Globe* or some other paper that published the odds.—A. I do not think anybody said that, that is nobody that knows anything about racing affairs. You can get the odds from the handbook man on a race run in Toronto this afternoon, and this morning the handbook man would have the odds there, although it will not be published in *The Globe* until to-morrow morning, and the results won't be published in the newspaper until to-morrow morning.

Q. So you say.—A. We carry one race course because that is the only one that is supplied by the Associated Press.

Q. That is Jacksonville?—A. That is Jacksonville, The others are not on the Associated Press service which is being——

Q. Then you say that the statement which has been made is a mistaken statement?—A. Oh yes, they do not bother with the daily newspapers because they could not afford to. In the first place there is no authority for that. The newspapers cannot afford——

By Mr. Raney:

Q. What do they pay?—A. I believe a good many of them agreed, they have some rule with their customers that they will pay on some publication which they get from New York or Chicago, or according to the information which they get by wire. They will quote you the odds on the morning of the race, that is before the race occurs.

Q. How does the bookmaking at the Woodbine differ from the English bookmaking?—A. You get a more systematic business.

Q. Here?—A. Yes, much more systematic.

Q. Is a revenue taken on the English tracks from the bookmakers beyond the admission fee to the enclosure?—A. I think not, sir.

Q. That is what I would fancy?—A. But they have a very much greater revenue from the horses and the owners. It costs a man very much more to run horses in England for the same amount of prizes than it does in Canada. Much of the English betting is on credit.

Q. Then can you tell me this: you said horse racing would disappear if this Bill passes. Which came first, horse racing or the bookmaking?—A. Well there was racing I suppose when there were horses.

Q. That is what I supposed. I suppose the horses came first and the horse races came before the bookmaking. How long a time has elapsed since the jockey clubs in Canada began to levy tribute from the bookmakers?—A. Well that is more than I can tell you, I have no particular knowledge of their financial affairs.

Q. I think you know well enough to answer that question from your general knowledge?—A. If I knew I should answer, I have nothing to conceal.

APPENDIX No. 6

Q. Does it date back twenty-five years?—A. Well I could not say, but I think possibly Hamilton, or at least the Woodbine, was the only club that was racing twenty-five years ago of the present five clubs.

Q. I am told—and again I refer to the American Encyclopedia—that bookmaking as a source of revenue to the jockey clubs began in the early 80's of the last century, perhaps twenty-five or thirty years ago.—A. Well I saw the racing at Saratoga in the 80's and I think the bookmakers were doing something then.

Q. Well now do you know?—A. I do not know, I understood that.

Q. I am told that is about the time it began, does that agree with your impression?—A. I could not say when it began, that is about the first I knew of it.

Q. You knew there was betting before then?—A. I did not know it.

Q. Had you ever heard it began before that time?—A. I never heard one way or the other about it.

Q. You do not know that there were excellent horses and splendid thoroughbreds long before 1880?—A. Oh yes, but nothing like as many or as good as there are now.

Q. Perhaps you can correct me, because you can correct me in a lot of things, and tell me if I am right in this: I am told that the net result of the last 25 years of racing of thoroughbreds bearing in mind the improvements in sulkeys and harness, etc., has been the reduction of the record by two seconds?—A. Average running time for a mile.

Q. Yes?—A. Well I could—

Q. I had better take that question back.—A. I think I have a book which gives the time.

Q. I am told the net result of the last twenty-five years running races of thoroughbreds has been the reduction of the mile record by two seconds?—A. Oh much more than that. The mile record is 1.35½ now and I think twenty-five years ago it would be something about 1.40.

Q. Can you speak differently as to that?—A. I have a work of reference and if you will allow me to consult it I will give you the figures exactly.

Q. I wish you would. A. (After consulting book of reference). It is just a record of the miles in 1.39 or better I have. I think the record then would be about 1.40, I am sure it was not under 1.40, to-day it is 1.35½.

By Mr. McCarthy:

Q. You think the record now is about 1.35½?—A. It is 1.35½.

Q. Speaking of the English method of procuring tribute by reason of the bookmakers is there any charge to get into the paddock where the bookmakers operate in England?—A. Yes.

Q. An extra charge?—A. Yes.

Q. How much do you remember? My information is one pound?—A. It is a pound.

Mr. RANEY—It is a pound for bettors and bookmakers alike.

By Mr. McCarthy:

Q. I am surprised that Mr. Raney knew that. Now where you have five thousand people going into a paddock where betting is carried on and they have to pay an extra pound admission fee, then by reason of the betting the track organization gets just \$25,000 from the public?—A. From that portion of the public that bet. The bookmakers do not pay anything, nobody pays it but the speculative portion of the public.

Q. The track organization puts the bookmakers into a paddock or an enclosure and charges an extra admission fee to go in and bet with them?—A. They do in England.

Q. And thereby increase its revenue to the extent of a pound for every person that goes in?—A. Yes.

Q. Therefore bookmaking in England pays in that way a considerable tribute?—

A. They get money from the people who want to bet.

By Mr. Blain:

Q. Do you think that would be a desirable change for Canada?—A. No sir.

Q. Why not?—A. I think that if people want to go on the race course that it ought not to be made prohibitory for them to have access to the opportunity to bet. I can see no reason why if people are permitted to bet on a race course, individually or not, any obstruction should be placed in their method of betting; that if the right is conceded to them to bet on the race course, I think that should carry with it the right to bet in as convenient and comfortable manner as they may choose.

By Mr. Sinclair:

Q. It is only conceded in order to give revenue to the track, that is the main reason it is conceded, is it not?—A. It is conceded in every country in the world with the exception of some portions of the United States and I think the unanimous conclusion that legislators all over the world have come to was that was the proper method of dealing with this question.

By Mr. Blain:

Q. It has been stated here that those who want to bet and who did bet interfered with those who did not; the English practice would put the bettor and the betting man together?—A. Yes, that is why I have suggested that the bookmaker should be put in a place by himself and that was done under the original construction of the law.

By Mr. McCarthy:

Q. And he always was until this interpretation of the law under which he had to walk about if he desired to ply his vocation. A. I do not think he wants to do it, or that the public want him to do it either.

Q. Until that decision he was in an enclosure by himself, but the difference between the Canadian and English enclosure was that the English bettor had to pay one pound to get into the part of the course where he was?—A. Yes.

By Mr. Blain:

Q. And you think that is not as good a way to raise the money as the present system?—A. I think the money is still raised from that portion of the public who bet, in either case; the bookmaker is only a collector, that portion of the public who bet puts up their money to-day, whether they call it bookmaking, the Pari-mutuel or auction pool selling. The money comes from the public who want to bet, and those who do not want to bet do not have to contribute.

Q. What objection would there be to having the bookmaking an enclosure under the English system?—A. And putting a high price on the admission?

Q. Yes?—A. Well, I am afraid it would not be popular.

By the Chairman:

Q. You do not believe then, that in all things we should follow the English practice?—A. No.

By Mr. McCarthy:

Q. E. King Dodds, on page 165, says (Reads):

‘For at least twenty-five years the fate of Canadian flat racing and steeple-chasing trembled in the balance. What between the then greater popularity of the trotter, the scarcity of good thoroughbred horses, and the still greater lack of thoroughbred horsemen, it was a hard struggle to preserve the running turf from total eclipse. Had it not been for a faithful few, who manfully, for sheer love of the thoroughbred, and often at great personal and financial sacrifice, stood to their guns and kept the old sport alive, the trotter would have had it all

APPENDIX No. 6

his own way, and the men of the present day would not have their Woodbine, nor would many of our Canadian breeding studs be in existence.

Do you agree with that?—A. I know there was a long time that racing was in a precarious position, so far as its permanence was concerned.

Q. He goes on (Reads):

‘The disappearance of the thoroughbred stallion from the concession lines would also have been severely felt in a province, which, as it is, lacks altogether too much a proper appreciation of his value.

It was Mr. Pringle’s opinion that only through actual performances on the turf, the game, stout thoroughbred could be maintained, and that none but those who had carefully studied the question could realize the important part played by this strain of blood in improving the quality, as regards constitution and conformation, of the light-legged horses of any country.’

Do you agree with that?—A. I think you cannot have too many thoroughbred stallions throughout the country.

Q. Then on page 167, which I think is a very complete answer to that which the Chairman read this afternoon, he sums up as follows: (Reads):

‘Many men are in the racing game for the money, while others ‘having the price,’ as the saying goes, take it up as a fad or a fancy, caring little what it costs them. Both of these classes are useful and necessary, but in Ontario, thirty years and more ago, there were few, if any, of the latter sort, while the former, if given full swing, would soon have ended the sport.

The racing men of the present generation owe, in a greater measure than most of them realize, the preservation of the Ontario turf to the single-minded efforts of a little coterie of keen, clean, sportsmen, who loved racing and the race horse for themselves and not for gain or glory.’

The CHAIRMAN.—That was before the Jew gamblers got control.

Mr. McCARTHY.—That was before Mr. King Dodds got blind, so that he could not tell whether a man was a Jew or a Gentile, and when he was in his prime he realized what the racing meets were doing for the interest of the country generally.

By Mr. McCarthy:

Q. Now, Mr. Nelson, Mr. Raney suggested that the building of the Fort Erie and Windsor tracks was done for the refugees of the American turf.

The CHAIRMAN.—Excuse me, I notice that this extract which Mr. McCarthy has read from the work of Mr. Dodds was describing the life of Roddy Pringle, who has for many years gone from this globe.

Mr. McCARTHY.—Turn to his references to the late William Hendrie and what does he say about that?

The CHAIRMAN.—I have an idea that he says that William Hendrie never made a bet and when on one occasion he was asked to make a bet with a bookmaker his reply was that he was a sportsman, not a gambler.

Mr. McCARTHY.—And yet when the late William Hendrie was president of the Ontario Jockey Club and engaged in promoting the horse breeding as no man in this country has done, he recognized the bookmaker as the best instrument for controlling the gamblers.

The CHAIRMAN.—Having read that from Mr. Dodd’s reference to the late Mr. Hendrie let me read from that same chapter in which he speaks of Mr. Hendrie’s influence. E. King Dodds says: (Reads)—

“He never bet on his horses, not even the smallest sum. To him the pleasure of winning was all-satisfying and that satisfaction was intensified tenfold if the winner was one of his own breeding. I remember a few years ago a young turfman, whose horse had just been defeated by Mr. Hendrie’s, turning to him,

1-2 GEORGE V., A. 1911

and with considerable warmth of feeling declaring he was willing to run the race over again in one hour's time and wager him one thousand dollars he could beat him. Hendrie's reply came both prompt and decisive, but in courteous tones, he informed the would-be bettor: "I hope I am a sportsman, not a gambler." It was short, sharp, and to the point, and it thoroughly bespoke the character of the man who uttered it.

You have a reference there to a good Presbyterian who never bet and you have referred to two sportsmen, who have long years ago died, as clean sportsmen.

Mr. McCARTHY.—And you must also recognize that the late Mr. Hendrie was president of the Ontario Jockey Club, who all these years has endeavoured to promote clean sport, as you say.

Mr. RANEY.—Betting?

Mr. McCARTHY.—He recognized that this matter of betting should be controlled and could be kept under control, and he tried to put it under the best control, and that the very people whom you represent here to-night by their action put the law in the unsatisfactory condition in which we have it, and then having done so they appealed to that unsatisfactory condition for which they were responsible as an argument why Parliament should amend it.

Mr. MOSS.—And brought Mr. Hendrie up in the police court and tried to convict him as a criminal.

The CHAIRMAN.—There is no evidence of that?

Mr. MOSS.—Yes, in the law reports you will find it.

The CHAIRMAN.—But you have not produced them.

By Mr. McCarthy:

Q. It is said that the creation of the Fort Erie and the Windsor Associations were for the refugees of the United States, notwithstanding the condition of affairs in the United States did they not go on to build and create new race tracks at enormous cost? The Belmont Park track, when it was constructed?—A. It was opened about three years ago.

Q. Is it one of the largest tracks in the United States?—A. The largest.

Q. How much money was put into that track?

Mr. RANEY.—That was after they had defied the constitution.

Mr. McCARTHY.—Then if you know that will you tell me why you tried to cast aspersions upon Canada and upon the Canadian race tracks when Americans who passed that law are prepared to spend millions upon new race tracks.

By Mr. McCarthy:

Q. Can you give me any idea of the money that was spent there?—A. Mr. Howland, the manager of the property for Mr. Belmont, told me it would cost them before they were through, the park was in course of construction at that time, something over \$2,000,000.

Q. And this was about three years ago. Now this telegraph system that is in operation upon the race tracks permits the sending of every kind of message?—A. They are open telegraphic offices, as far as I know, the same as any other telegraph offices.

Q. If I want to send a message on business matters I can send it?—A. I do.

Q. It is not confined to information to the newspapers of the various localities, every newspaper reporter who is reporting the races can send his report to Montreal, Winnipeg or anywhere?—A. On all these lines.

Q. On these very lines that Mr. Raney is talking about?—A. All the afternoon papers are supplied by direct wire.

Q. If that telegraph is taken away, the newspapers throughout Canada cannot report these events in their sporting column if this law is to be observed?—A. They could not report them the next day, but they could get them from some other source.

APPENDIX No. 6

Q. Unless the newspaper could get them from some other source. But if the law is to be that no racing news of any kind whatsoever is to be sent over the telegraph line, then the newspapers who report the daily news cannot publish this information? —A. They could not have it.

Q. The telegraphic information is used by every newspaper practically in the cities of the Dominion?—A. Yes, sir.

Q. And I suppose that some telegraphic information applicable to other countries is used by every newspaper in the cities in which they carry on the business?—A. Yes, sir.

Q. Now, while we may deprecate the furnishing of news to the pool room, is it fully realized by the newspapers that they are to be cut off by this Bill? —A. Well, I think it goes a good deal farther than cutting off the newspapers.

Q. I am only speaking of the newspapers, because you are a newspaper man. Does the chairman of this committee realize that if he passes this Bill he says to every newspaper doing business in every city of the Dominion of Canada that they shall not have from the various race tracks carrying on business, whether there is betting on them or not—that they shall be deprived of racing information?

Mr. RANEY.—No such thing.

Mr. MCCARTHY.—I beg your pardon.

Mr. RANEY.—No such thing.

Mr. MCCARTHY.—No such thing, my friend says. I do not so read the Bill, and again I must be dense.

The WITNESS.—My reading of it is that it prohibits the publication or the circulation of all literature, all history, that in any way makes reference to wagering or betting, past, present or future. I take it if the Bill was passed with the clause—the typewritten clause which I have seen—the Parliamentary Library would have to be expurgated of every work that contains any reference to betting or wagering.

By Mr Raney:

Q. You are still speaking as a disinterested witness?—A. Oh, yes, sir.

Q. Quite disinterested?—A. Yes; I could get along if the Parliamentary Library were expurgated.

By Mr. Moss:

Q. You were familiar with the late Mr. William Hendrie?—A. All my life time. I was born in Hamilton.

Q. You have heard what has been said about him, and you agree with that, that he was a staunch and strict Presbyterian?—A. Yes.

Q. Who never made a bet, and was president of the Ontario Jockey Club. Were you familiar with the fact of his being prosecuted in the police court?—A. I was.

Q. In the year 1905?—A. I could not give you the exact date. I remember it was five or six years ago.

Q. Do you know anything about the circumstances leading up to that prosecution? —A. In a general way. I knew there was an attempt to prevent betting on the race course at the Woodbine.

Q. You knew that he was actually brought up in the police court?—A. Yes.

Q. As being the president of the Ontario Jockey Club?—A. As the president of the club which permitted it.

Q. And do you know anything of who was behind that prosecution?—A. I have no knowledge of who was behind it.

Q. That case is reported in the Ontario Law Reports, 1905, page 202.

The CHAIRMAN.—Would you mind my asking you how that affects the question that is before us?

Mr. MCCARTHY.—E. King Dodds' book noted that.

The CHAIRMAN.—E. King Dodds' book does not contain any mention of it.

1-2 GEORGE V., A. 1911

Mr. Moss.—I think it affects the question in this way: It shows the view that was taken by a man of the late Mr. Hendrie's high standing in the community, a Christian gentleman; yet he was so strong in his view of personal liberty and the freedom of the subject, that he was willing to undergo prosecution in that case and allow himself to be brought into the police court, and still as a lover of sport be content to accept whatever obloquy was attached to him in that way. Nobody has ever suggested for a moment that the late Mr. Hendrie was in racing for the sake of gain; he lost money on it; but still his views were so strong on the question of the right of the subject and the desirability of permitting those who wished to bet freely and under proper auspices, that he was willing to undergo this indignity.

The CHAIRMAN.—I think Mr. Hendrie was a very fine gentleman, and if somebody, through malice or lack of prudence, prosecuted him, it was a great shame; but I do not see how it affects the matter before us.

Mr. McCARTHY. Surely, in view of what you read out of E. King Dodds' book—that Mr. Hendrie himself was not a bettor, and made the statement you say to a gentleman approaching him—when he was president of the Ontario Jockey Club, and permitted this to go on, and not only permitted it, but facilitated it, and thought it was the best method of controlling this evil, as you describe it, which he did not participate in; when he was prepared to stand by it to the extent of having a prosecution, being convicted and going to a higher court and getting that conviction quashed, that would show that, notwithstanding his personal feeling in the matter and that he did not participate in betting himself, he did think he was acting in the best interest of the public in permitting betting to go on on the track of which he was president, was doing right as between man and man and between the betting public and what you might call the moral public.

The CHAIRMAN.—The most you make of that is that Mr. Hendrie was a Christian man.

Mr. McCARTHY.—I am putting his views.

The CHAIRMAN.—He was a Christian gentleman who had views on betting, but did not seek to interfere with those who otherwise would—

Mr. McCARTHY.—I go further than that. William Hendrie was not a man who would endorse a thing if he believed it was wrong. I put the converse case against Mr. Shearer's evidence. Mr. Shearer said: 'I won't say it is a sin. You may not think it is a sin and you do it, but I would not do it.' Mr. Hendrie says on the contrary: 'I do not do it, but I do not see any wrong in your doing it, and I will permit you to do it under my auspices, and I will protect the auspices under which it is carried on.' He goes into court to protect it, and did protect it.

The CHAIRMAN.—I do not know that there is any evidence that those were Mr. Hendrie's views.

Mr. Moss.—He was a man of the largest experience in that sort of thing. However, you invited me to embark in this discussion, and I am not responsible for the consequent delay.

By Mr. Counsell:

Q. Now, about the conditions at Fort Erie at the time Mr. Clarke was speaking in the House in regard to that track?—A. Windsor you mean?

Q. Windsor I mean, was there a poolroom in operation in Windsor at that time?—A. There was a poolroom I believe, on the grounds, just outside the Windsor race course.

By Mr. Raney:

Q. In 1905?—A. No, I do not think it was as late as that.

By Mr. Counsell

Q. How long before that?—A. Well, a few years, not many, it may have been there at that time, I do not know, but I know it was there prior to that time.

APPENDIX No. 6

Q. If that were there at the time is it the case that poolrooms make conditions such as described by Mr. Clarke?—A. They would not produce desirable conditions

Q. Is the poolroom an undesirable thing?—A. It is.

Q. It is. Very much so?—A. Very much so, to my mind.

Witness discharged.

The CHAIRMAN.—Mr. Ryan has suggested that he can shorten up matters by presenting resolutions from persons in Montreal and elsewhere in reference to the operations of the Canadian Bureau.

Mr. RYAN.—I would suggest that they be handed in and let the committee read them. These are letters from Canadian farmers showing what these horses have done in different parts of Canada from the Maritime Provinces to Alberta. I thought it desirable to submit them from the fact that there was some testimony given here that the thoroughbreds had not been of much use.

The CHAIRMAN.—Do not your declarations cover that?

Mr. RYAN.—No, these are from farmers who have actually used the horses in Canada.

The CHAIRMAN.—The declarations, it is understood, go in?

Mr. RANEY.—Perhaps it will be useful to the committee, I have had a compilation of the laws of the American States made and I put that in.

Mr. J. F. RYAN, Montreal, called and sworn.

The CHAIRMAN.—I notice from the list of your executive here there is a Mr. Shearer; is that Dr. Shearer?

A. Our executive officer instructed me to point out the fact that while he is on friendly terms with Dr. Shearer he is not his brother.

The CHAIRMAN.—You want to make a statement?

A. I think I should tell the committee that I have been sent up here by the Canadian National Bureau of Breeding, Limited, which has been organized for the improvement of the breed of horses in Canada by means of the thoroughbred cross. It was not our intention at first to have a representative up here but the directors are unanimously of the opinion that the proposed legislation which will close up the race tracks will stop our supply of stallions for the bureau. We have already placed stallions from Halifax to High River, Alberta, and we are pledged in a way to send out more. We are working without government support, but we are spending our own money on freight, insurance and everything like that and unless we can get these stallions by donation we cannot buy them in the open market and bid against France and Germany; there are few Canadians that have the necessary means to enable them to donate these stallions. I say we would not have gone as far with the Bureau if it had not been for the English War Office, they sent men out here who went all over Canada and told the farmers that if they produced the right kind of animals they would buy them for the English army. They explained the remount problem, which is perhaps the greatest problem which the English War Office has to contend with to-day, to the farmers, and the farmers pledged the War Office people that they would breed the horses and that they would send them as many as they could, the War Office promising to take such as were suitable. The agents of the War Office are coming out here again in May to look over the ground and to see how far we have gone to make as good a showing as we can. If we can keep it up for 10 years and produce a crop of 15,000 horses each year at the War Office price that will bring \$3,000,000 into Canada from the Old Country in that one item alone. We hope nothing will be done to stop the work. We are advised that the territorial army of England alone is 34,000 horses short, and we are also advised, while we do not predict any trouble in Europe, still there is a possibility of European war, and it is just as well for England to be prepared for it. She is not prepared now, but should a European war break out

1-2 GEORGE V., A. 1911

with the cavalry remount problem unsolved we think that the Empire would be jeopardized, and we think that state of affairs should not continue. Look at the position in which England would be placed if any European power that overruns France should get possession of the channel, holding Calais and Cherbourg at either end. We all know what happened in the Boer War which did not last very long, but England left 800,000 horses in South Africa besides what she brought home. When the War Office buyers came to Canada during that war they could hardly get anything, they went to the Argentine and got 14,000 horses, in the United States they got 114,000 horses and all that money went to foreign powers, from Austria-Hungary they got 6,500, and they also bought a lot of mules in the United States and then they were chased out of the country. It was some of those mules that caused the death of Lord Robert's son, because they stampeded at the guns.

By Mr. Monk:

Q. How do you connect your present work with the race track?—A. We get these stallions, I should say we get 75 per cent of them from racing owners and breeders who race in Canada and who feel that the Anglo Saxon Racing Associations which have existed up to the present in Canada are a good lot and to show their appreciation of the way they have been treated in Canada and of the sport they have enjoyed here, they donate stallions to us. We have stallions that sold in the open ring at \$16,000 and they came to us prepaid. We have sent out 24 stallions last year, we have 19 arranged for, and we expect to have 75 at the end of next season; by the end of 1911 we expect to pass Germany, Germany has 103 now, and if we can get a Federal grant we will probably pass France, they have 234 there.

By Mr. Blain:

Q. When was the bureau inaugurated?—A. The corporation was formed about a year ago. The bureau work has been going on for two years.

By Mr. Meredith:

Q. Who are the directors?—A. We have a board of governors of which Major George Washington Stephens of Montreal, is the chairman.

Q. That is the chairman of the Harbour Commissioners of Montreal?—A. Yes, he is a member of the Legislative Assembly. Then there is Col. H. J. McLaughlin, of the War Office, London; Frank J. Robinson, president of the Halifax Transfer Company; W. W. Hubbard, secretary of agriculture, New Brunswick; Lt.-Col. Ashmead, Quebec; Senator Beith, of Bowmanville; Senator Edwards, Rockland; Hon. Clifford Sifton, Ottawa; Dr. Webster, master of the Ottawa Hunt; Rodolphe Forget, member of parliament for Montreal; Andrew Shearer, president of the Shearer, Brown and Willis Company; D. Raymond, president of the Queen's Hotel Company; J. P. Laurendeau and C. L. Hervey, Montreal; George W. Cook, Morrisburg; Albert E. Dymont, ex-member of parliament and thoroughbred breeder, Toronto; George Carruthers, Grain Exchange, Winnipeg; Osborne Brown, Calgary; and Major Samuel Harris, Vancouver, the War Office man in Vancouver. These are the board of governors. Our executive committee consists of Rodolphe Forget, Albert E. Dymont, Andrew Shearer, D. Raymond and myself. We spent several thousand dollars on freight and other expenses in 1909 and it kept us busy. If we have to go out and buy stallions we will have to stop, and we do not think that everything should be done at this particular stage of the situation especially with the remount problem remaining unsolved.

Q. Have you got any of your pamphlets with you?—A. Yes, I have some copies.

Q. Have you got a pamphlet showing the work of the Bureau itself?—A. Yes (producing pamphlet). These books were sent out to farmers to help them regarding the thoroughbred. Of course we take the stand that the thoroughbred is the only stallion that improves all breeds. That has been proven by experience of 200 years.

APPENDIX No. 6

We have read newspaper accounts for the last two or three weeks of the use of thoroughbred Clydes, thoroughbred Hackneys, and thoroughbred roadsters. There is only one thoroughbred in the world, that is the English thoroughbred developed from the Arabs and Barbs, and brought up from a pony fourteen hands high to the superb thoroughbred of to-day. It is the only type that improves all breeds, and the horse breeding industry of Canada includes all breeds. So the thoroughbred sire is the only sire that improves the horse breeding industry.

Q. In this pamphlet which has been published by the Canadian National Bureau of Breeding I see on the first few pages a kind of introduction and a statement as to the work you do. Was that statement approved by your bureau? I presume it was before it was issued.—A. Yes.

Q. In that statement I find the following: (Reads.)

The National Bureau is not controlled or affiliated with any jockey club or racing association, but it aims to be on friendly terms with all such organizations, realizing that the race course is the training ground of the thoroughbred and that racing is the supreme and only trustworthy test of the pure blooded horse. It is indebted to racing men and breeders of race horses for many of the magnificent stallions so far secured and will try to repay this kindness by making friends for the thoroughbred all through Canada. That it is succeeding in this, already is shown by the thousands of names on petitions for stallions, all of which pledge support to the thoroughbred.

Q. That is a part of your pamphlet?—A. Yes, sir. We have sent these booklets out to educate Canadian farmers as to the value of the thoroughbred, and how to take care of their mares and how to feed the foals. Our main doctrine is to feed the foals properly.

Q. Have you mentioned the number of thoroughbred stallions you have?—A. I mentioned that we had twenty-four and we have nineteen more arranged for.

Q. And they have been examined?—A. They passed three veterinary tests.

Q. You have applications come in for the use of those stallions?—A. In round figures we have about 1,200 applications from all over Canada. I believe if we had all the stallions in North America we could not supply the demand.

Q. To show the committee how great a demand there is for these stallions, are the petitions asking for them backed by a large number of people?—A. Well we realize that we would not get more than 75 or 100 stallions in the next year and we sent our circular letters so as to disappoint these farmers all over the country telling them their chances were not good, that we could only send out so many sires. We thought that would stop the demand, but fortunately, or unfortunately, it had the reverse effect and the applicants commenced circulating petitions in the different counties. These petitions were signed by thousands of farmers pledging support to the thoroughbred as a means of helping to solve the remount problem and offering to introduce the use of a thoroughbred sire if he went to a particular county. These petitions were signed by members of the Cabinet, members of Parliament, Methodist ministers, parish priests and French curés, and the first thing we knew we had thousands of applications instead of the 1,200.

Q. These different sires have been donated to you, they have been given to your bureau?—A. The stallions came to us as donations. We would not pay anything for stallions because if we buy one we will have to buy them all if we ever establish that precedent.

Q. Such stallions as you have got from Americans were the result of American horse owners attending our race meetings in Canada.—A. I have met American horse owners all over America, I have been at all the tracks, but the American horse owners approve of the Bureau plan because it makes friends for the thoroughbred and they also approve of the racing laws in Canada. They said: Now we will give you these horses and you can put them out where they will do some good to the

1-2 GEORGE V., A. 1911

breeding industry.' Of course we get horses from other places besides the United States, but we obtain a large proportion of them from that country.

Q. Have you in the last few months obtained any stallions from owners of race horses in Canada?—A. Yes. Three stallions from Canadian owners within the last three months.

Q. From whom did you get them?—A. We got Fort Hunter from Mr. Dymont. He is a thoroughbred though he weighs 1,376 pounds and he won more races than any horse that was ever owned by a Canadian.

Q. What do you put him down as worth?—A. I think he is worth between \$8,000 and \$10,000.

Q. Who did you get the others from?—A. The second was from Mr. Robert Davies of Toronto. I think he is an official of the Ontario Jockey Club, but I would not be sure. I think Athol is worth \$6,500. I have a letter from the man who has him saying he feels sure he will revolutionize with that horse the breeding industry in that locality in Quebec.

Q. Who is the third stallion from?—A. From Mr. Allen Boswell of the Quebec turf club.

Q. He also owns a number of race horses does he not?—A. He owns brood mares.

Q. Have you ever received a horse by donation from any state or country where racing or betting was not allowed?—A. I can tell you where all these horses come from.

Q. Never mind we do not want to go into that.—A. I do not think we ever have. I know we never got any from Illinois, Missouri or Louisiana.

Q. Now what would be the effect of the abolition of racing on the Canadian National Bureau of Breeding?—A. Well, these owners would not come here if there wasn't racing, and if they didn't come here and didn't race, or if they raced under rigid restrictions they would not feel under any obligations to help the breeding industry here I do not think.

Q. What effect would it have on your bureau if racing is cut off?—A. It would cut off a large part of our supply.

Q. What percentage?—A. I should say 50 per cent and that would mean that we would have to go twice as slow as we are going now, and we are going so slow now that we would not be able in an emergency to supply our quota of horses for the British army, the probabilities are that war would be on us before we got properly started, and you cannot make horses, you know, you have to breed them.

Q. We have a good deal about the King's Premium stallion?—A. Yes.

Q. Is there any difference between the King's Premium stallions and the ones you use?—A. I think our stallions are a little better than the average of the King's Premium stallions. I know there is one down there that they wanted to trade us for a bureau stallion and we haven't a bureau stallion that we thought we could trade for him; we thought we would get a little the worst of the deal if we traded.

Q. Was he a thoroughbred?—A. The King's Premium stallions are all thoroughbreds.

Q. Have you been on the principal race tracks of Canada and the United States?—A. Yes.

Q. Before and since the Hughes' law?—A. Yes.

Q. In the state of New York before the Hughes' law was passed what did you notice there as to the order on the track, the purses, and the quality of the horses, as compared with what happened afterwards?—A. Well I worked in New York for five or six years, I was at the race tracks every day and it was the best racing I ever saw in my life at Sheepshead, Gravesend and Morris Park.

Q. Was that before or after the Hughes law?—A. Before.

Q. And what was the nature of it afterwards?—A. Afterwards the attendance fell off and then they had to cut the stakes; the Futurity, the Brooklyn handicap, the Twin City handicap and the Commonwealth stakes and all those big feature events were slashed to nothing almost.

Q. Were the people as orderly after the Hughes' law as they were before?—A. The

APPENDIX No. 6

Hughes' law broke up the betting ring and the bookmakers and handbook men got mixed up in the crowd; some of them got into fiths and the police raided the track; people were knocked down and clothes pulled off them, I saw a dozen fights there on one day, they were fighting all over the place.

Q. As a matter of fact from what you say after the Hughes' law had passed betting was still going on only it was in a more disorderly way?—A. It was very disorderly, there were free fights, and there were plain clothes policemen going around among the crowd and people were dodging around behind the grand stand and everywhere else to make their bets and the policemen were watching to catch them.

Q. But there is just as much betting going on but it is the worst kind?—A. They are betting all over the place, in the clubhouse, out in the stable, in the field, behind the stands and everywhere.

Q. What do you think will be the effect of the Bill such as the chairman has introduced, a Bill which will allow individual betting but which will do away with the bookmaker on the chartered race track. Do you think that is going to improve or check the evil of betting, or is it going to increase it or make it worse? What is your opinion from your experience in the United States and in Canada?—A. Well, I would hate to see the same effect produced here as resulted from the operation of the law in New York, but I do not see why there would not be the same trouble here because there is no jurisdiction over the men who are betting, when they are scattered all over the ground. But if you have the bookmakers in a betting ring the ringmaster keeps them in order, and the club keeps the ringmaster in order, and the bookmakers cannot cheat any man by writing a wrong ticket or anything like that. But when you haven't that recognition one man may meet another man and he may bet \$50, and may get your money, and you wait to see what horse wins, and if he loses he gets out. There have been cases like that.

By Mr. Raney:

Q. That would not be an encouragement to bet, would it?—A. I do not know, if you get bitten that way you may try to do the same with some other man.

Q. Now, one witness who came here, I think it was Mr. Smith, stated that the climatic conditions in Canada were against the breeding of horses in Canada, now what have you got to say as to that.

Mr. RANEY.—Against the breeding of the thoroughbred he said.

Q. Yes, that the climatic conditions in Canada were against the breeding of thoroughbred horses in Canada, is that true?—A. Well, Victorious was bred in Canada and he was a fine big horse.

Q. Do you see anything in the climate of Canada to prevent it?—A. We are breeding horses all over Canada now, in Alberta and in Manitoba we have foals now by Bureau stallions that were born in February and they are getting on fine.

Q. How is the thoroughbred stallions utilized, what do you cross them with?—A. Coldblooded mares.

Q. How is Canada as a country for a breeding ground for remounts?—A. The War Office say this is the natural nursery for all remounts of the Empire, and they say there is no part of Canada unless you go too far north which is not an ideal country for raising the horses. Colonel McLaughlin told me that if we can ever get enough of our stallions into Alberta to bring out a good crop and to bring them up in the same way as they bring them up in Alberta, that we can produce a cavalry horse that will go 100 miles where any other breed in the world will not go 60 miles; he is the expert on the Intelligence Staff of the War Office. We have sent six stallions out there and they are all booked to the limit for 1910.

Q. And it is your intention to go to the Pacific ocean?—A. We will reach the Pacific ocean in August.

By Mr. Blain:

Q. At what age will the War Office buy the remount horses?—A. That has not

been decided yet, but I will tell you what their proposition is. These War Office men will be out here again in May and they are arranging to have remount depots established in Alberta, Saskatchewan, Manitoba and Nova Scotia to collect this crop when two or three years old and train them to make war horses out of them, so that when they are loaded on the boat in Montreal they would be ready to go anywhere. It was pointed out to them that one reason why the Canadian farmers do not breed horses for remounts was that the War Office does not want them until they are four or five years old, and to give the farmers a quicker return for their money the authorities are thinking about establishing depots. If it is not done by the War Office it will probably be done by some private corporation which will get a percentage for handling the horses.

Q. Something has been said about the appearance of the racing thoroughbred, now could the ordinary person judge the merits of a racing thoroughbred simply by its appearance on the race track?—A. By its appearance on the race track?

Q. Yes. A. Oh no, a horse changes when he is taken from the track. For instance you look around a race track and see a lot of horses there, they are trained to the minute, they are all bone and muscle, without a pound of superfluous flesh. Take a horse that weighs 950 lbs. racing, and he will weigh 1,250 lbs. four months afterwards in the stud. We have one that weighed 950 lbs. and now he weighs 1,250 and he is not fat now, but he has filled out.

Q. Would you recognize the horse from his appearance when on the track?—A. I do not think that his owner, the man who gave him to us, would recognize him now; I am going to show him to that man next spring.

Q. Now I do not know that I need ask you this but I believe there has been some little controversy on this point: is racing necessary for the development of the thoroughbred?—A. Absolutely necessary.

Q. Have you any authority to back you in that statement, any authority who is beyond question?—A. Well, I have Count Lehndorff, the greatest European authority on horse breeding and German Master of the Horse. He is a man who has spent several millions of his own money in developing the breed of horses in Germany. He is the corner stone, I should say, of the German Bureau which is the second greatest bureau in the entire world. He said, and he has the backing of the German Emperor when he takes this stand, that it pays Germany to invest as much as \$100,000 in the best English thoroughbred that can carry weight over a distance of ground and to mate that thoroughbred with the German farm drudge. That is a hard thing for some people to understand, that so valuable a horse should be mated with a common mare, but they prove that by 48 years of experience in Germany and 103 years' experience in France. France paid \$187,500 for Flying Fox for the same purpose. Germany paid \$80,000 for Ard Patrick.

Q. That was a Derby winner?—A. They were both Derby winners. Galtee More cost \$70,000.

Q. You spoke of Count Lehndorff, Master of the German Horse. What does he say in regard to racing as being necessary to develop the thoroughbred?—A. I have got his book with me.

Mr. RANEY.—I thought we passed that line two or three weeks ago?

Mr. MEREDITH.—I did not ask this gentleman to come up. I understand he came up entirely upon his own initiative to present the resolutions of his directors. He wrote to Mr. Miller without my knowledge but I heard he was here to-day and I am very glad he came.

The WITNESS.—This is a copy of Count Lehndorff's book on horse breeding. He says: (Reads)—

"The thoroughbred can, however, fulfill its mission only provided the yearly produce can be continuously subjected to severe trials in public. The only appropriate test proved by the experience of two centuries is the race course, although its adversaries oppose it as too one-sided and propose instead others of

APPENDIX No. 6

more or less impracticability. The last struggle for victory in which culminates the exertion of the race results from the co-operation of the intellect, the physical and mechanical qualities of the horse, the development of which combined power is higher and more reliable than any that can be obtained in the same animal by other means. The combination of these three qualities forms the value of the horse destined for fast work; the mechanical in respect to the outward shape and construction; the physical as regards the soundness and normal development of the digestive organs and motive power; the intellectual in the will and the energy to put the other two into motion and persevere to the utmost. The attained speed is not the aim, but only the gauge of the performance."

Q. Are all the shareholders in your Bureau Canadians?—A. Yes, sir.

Q. And all the officers Canadians?—A. Yes, sir, except our London representative. He is an Englishman.

By Mr. Blain:

Q. How many of your horses have been trained on the track?—A. How many have been on the track?

Q. Yes, how many of the total number of horses that you have in the bureau have been trained on the track. There were some that had not—

Q. Do you not accept any but those that have been trained on the track?—A. We will accept a horse that has not been raced, but if we can get a horse of good formation, and soundness of pedigree which has always shown his ability to carry weight for a distance, we prefer him to an animal that has only been exhibited in horse shows.

Q. But you do not draw the line and say you will not accept any without they have been trained?—A. Oh, no. We do not draw the line.

Q. As I understand the Bureau, it is to perpetuate a first class breed of horses for remount purposes?—A. Well not only that, we—

Q. My point was that possibly the Bureau would not accept anything, or put them to service, without they were trained on the track?—A. We will accept a horse which has not been raced but we value the horse which has been raced more, because those experts in Europe have shown that a horse which can go a distance and carry weight gets thoroughbreds and chargers that can march further than the race horse can that can go six or seven furlongs. Therefore we should get a horse that has more endurance than the horse that is not raced at all. There is a difference between stamina and endurance. A horse may have stamina and yet may not have much endurance. So what we aim at is a horse with endurance. Stamina can be shown in a six furlong horse, but when he goes a mile and a half or a mile and six furlongs he has got the endurance as well and his 'get' will work more. If they were pulling a transfer waggon they would go more trips and work longer hours and if pulling a cab they would work longer hours. The type of horse the Bureau develops will do all the light work of the nation. They are not needed solely for cavalry purposes, or are not cavalry horses, they will do any kind of work. When they are needed at the war office they will be found here in Canada and Great Britain will not have to go to foreign countries for them.

By Mr. Sinclair:

Q. Do you regard the race track as necessary to discover the horse that has endurance?—A. Well, I do not see how you can discover it in any other way, because the carrying of weight over a distance is merely another advance on a horse race.

By Mr. Meredith:

Q. Now as to these stallions that you have got, as a matter of fact those that have not been raced are all English thoroughbreds.

Q. You have got their pedigrees?—A. Yes.

Q. And do you not trace most of them back to celebrated horses that raced on the track?—A. They all trace back to celebrated horses that raced on the track?—A.

1-2 GEORGE V., A. 1911

They all trace back to celebrated horses, horses like Bend'Or, St. Simon, Stockwell, Bird Catcher, Hampton, Ormond, Galopin and Carbine.

Q. You have got all their pedigrees?—A. All the pedigrees are on file here with the Live Stock Department?

By the Chairman:

Q. Britain is the great home of the thoroughbred, is it not?—A. Yes, sir.

Q. I think some one stated here to-night, and in my opinion it is quite true, that there has been racing of the thoroughbred in Britain for more than 200 years?—A. For 203 years. The racing calendar is 203 years old.

Q. You have spoken particularly in your evidence to-night of horses for the army. I have here a year-book published by the *Live Stock Journal*, London, England, in which there is an article on horses for the army, and it says: (reads) 'The army requirements in time of peace are only a little more than 2,000 horses annually, and therefore it is evident that it would never do for breeders to depend on this market alone.' Do you know anything about the correctness of that statement?—A. What is the date of that?

Q. 1910?—A. Is that just for England alone?

Q. It may be for Britain alone?—A. India takes 8,000 a year.

Q. I would think it is for Britain alone. The same article says: (reads):

'There are a great many people,' adds Major Fife, 'who are under the impression that there are not horses in the country to meet our present peace supply and, in consequence our army is underhorsed. No greater nonsense was ever talked. There are more horses than enough at the present moment for any requirements, but we must look ahead, and, therefore, we should not be satisfied with this, and allow ourselves to be dependent upon importations in time of peace, which would be liable to be cut off in time of war.'

Again the article says (reads):

'Unfortunately, the national horse supply is not sufficiently popular with either political party to enable public money to be spent on it to a sufficient extent. The only course open to the pioneers of the movement, is to be perpetually calling attention to the matter with the object of getting a government grant, for no good can possibly be done until horse-breeding is subsidized by the country.'

So it would seem that in England, where the thoroughbred horse has been bred for 200 years the hope of these people is a direct government aid. Do you agree with that?—

A. I do not agree with that at all, because I know that the War Office men told us how many horses it would want for a year in time of peace, and told us that we could not raise enough to supply them in time of war.

Q. In time of war, I should think that was quite correct?—A. I am told so. I took Colonel McLaughlin to the Managing Editor of the *Montreal Weekly Star*, which has a circulation of 128,000 among Canadian farmers, and I said: "Now you send your message to 128,000 farmers," and he told them the need was 4,000 horses in time of peace."

Q. You asked the Dominion government for aid to your bureau?—A. We asked for a federal grant last year.

Q. Why didn't you get it?—A. I don't know.

Q. At any rate, the government and the Minister of Agriculture did not seem to think the objects of your bureau were such that they could at that time, at any rate, encourage them?—A. They have all our papers showing our objects, and the books, and they have not returned them yet; I do not think it is closed; it may be, but we have not been notified. In any case, we are going to ask them for another grant in a couple of weeks.

APPENDIX No. 6

Q. When did you make your first request?—A. Last year; and when we did not get anything, we went to the provinces and they gave us a grant.

By Mr. Sinclair:

Q. How much do you want?—A. We want all we can get.

By Mr. Meredith:

Q. You might tell the chairman what provinces were more generous than the Dominion?—A. We got grants from New Brunswick and Nova Scotia, we have been promised a grant by the province of Quebec, and we have every encouragement from the province of Ontario; the Alberta legislature and the Manitoba legislature will take up the question of a grant in a couple of weeks.

Q. Are you shipping any to Saskatchewan?—A. Our first shipment goes there on the first of May at the request of the authorities of the Northwest Mounted Police: H. Lawson and 181 farmers signed the request. The officials of the police force claim that they cannot get 80 suitable horses a year to meet the requirements of the Northwest Mounted Police.

Q. And you are going to send stallions up there to produce 80 horses for the Northwest Mounted Police?—A. No; to produce all we can, and then the Northwest Mounted Police will get what they want.

Q. It is said that it pays the farmers better to breed heavy horses, that the War Office will not pay sufficient prices?—A. The War Office gentlemen said that they paid \$200 for troopers and \$300 for chargers.

By Mr. Meredith:

Q. What does it cost to raise them?—A. We claim they can raise them until three years old in Alberta at a total cost of \$20.

Q. Is it not a great grazing land?—A. The War Office says Alberta is the greatest grazing land in the world.

Witness discharged.

MR. COUNSELL.—I desire to put on the records extracts from the minutes of the executive of the Moral and Social Reform Council of Canada, held on the 17th of April, 1908, the president, Rev. Dr. Carman, in the chair, Canon Tucker, Dr. Chown, James Simpson and the secretary, Dr. Shearer, as follows:—

The attitude of the government toward the request of the executive for amendments to the law governing gambling and betting was reported upon by Dr. Chown and the secretary, both of whom had interviewed the premier in the past. In the light of their reports, it was felt to be extremely doubtful whether the government would undertake legislation unless some more effective pressure could be brought to bear upon them.

The secretary was directed to write the premier in regard to this matter, and to arrange, if possible, for Mr. Macdonald, of the *Globe*, to write him about the same time, also confidentially to write to a number of members of parliament who are known to be thoroughly sympathetic, letting them know the condition of things, and asking their good offices in the way of influencing the government.

Also the minutes of the council of September, 1909:—

But your executive is extremely sorry to report that the government did not accede to the council's request for amendments (a) and (b), and the executive would recommend that the council should adopt a strong deliverance on these important matters and authorize the executive to arrange for a campaign of awakening public opinion, arousing the public conscience through the pulpit, the platform and the press, by the circulation and presentation of petitions to both Houses of Parliament, and by any other means that it may deem necessary, leaving the executive free to determine the line of action.

1-2 GEORGE V., A. 1911

I would also like to put in the Minutes of the Executive of September 4, 1909, as follows:

Sederunt besides the President, Dr. Chown, Dr. Copp, Professor Keirstead, Messrs. Raney and Moyle, and the Secretary.

The following form of Petition to Parliament was agreed upon *re* Race Track Betting.

*To the Honourable the House of Commons of Canada,
In Parliament Assembled—*

Whereas the courts have interpreted the clauses of the Criminal Code bearing upon gambling and betting, in such a way as to make lawful the negotiations of bets by bookmakers and handbookmen, if done on the streets, or if done on race tracks, while they move about, but unlawful if they remain in any building, booth or defined place, thus making the law absurd.

And whereas the states of New York, Alabama, Louisiana, Texas, Missouri, Illinois, California and Washington, and many others, as well as Japan, having recently put an end to all such professional gambling, leaving Canada almost alone in legalizing this vice, and making her race tracks the rendezvous of gamblers and other social parasites, from all over the continent.

And whereas our people are in consequence being publicly schooled in gambling and its attendant evils.

Therefore resolved that we the undersigned electors humbly pray your honourable body to enact without delay such amendments to the Criminal Code as will, under adequate penalties and by simple process, make pool selling, book making, and the business of gambling clearly unlawful, everywhere and under all circumstances, as well as the publication of information tending to aid in gambling, and in other respects to render the law effective for the suppression of gambling, your petitioners, as in duty bound, will ever pray.'

Dr. SHEARER.—I ask permission to put on the record certain additional extracts from the Minutes of the Moral and Social Reform Council, to demonstrate that the contention of Mr. Moss, that the language of the Minutes of the December 198 meeting implied that it was first intended to make all betting—betting in per se—a crime and not simply the business of betting and gambling, as the Miller Bill proposes.

The CHAIRMAN.—That is agreeable.

(Minutes afterwards handed in by Dr. Shearer, as follows):

(1) From the meeting of December 26th, 1907, the meeting, at which the Moral and Social Reform Council was organized, pro tempore, reported 'Regarding an amendment to the Criminal Code, which would make the business of negotiating bets on race tracks or elsewhere, unlawful.' This was adopted by the Council.

(2) From the meeting of the Executive, 10th February, 1908, the minute reads:

On motion of Canon Tucker and Dr. Chown, it was unanimously decided to select the prevention of the business of gambling and betting for immediate legislative action and for concerted effort in co-operation with other interested organizations in informing and arousing public opinion in regard to the same.'

Captain J. FOULKES called, sworn and examined.

By Mr. Powell:

Q. What is your occupation?—A. Captain of the permanent force.

Q. You were stationed for some years in South Africa, were you not?—A. Yes.

Q. In what capacity?—A. I was a police officer.

Q. That is to say?—A. In the South African Constabulary.

APPENDIX No. 6

Q. Are you familiar with the racing conditions as they were then in South Africa?
—A. Yes.

Q. And as they exist to-day?—A. As they were then, yes.

Q. What is the practice there with regard to betting on the race track?—A. Both by the bookmaker and by the machine they call the Totalizer.

Q. Which is the same as the Pari-mutuel?—A. I have never heard it called that until I came back to Canada, we called it the 'Tote.'

Q. We will call it that in your examination. Are there many large tracks there?
—A. There are tracks at all the large towns there; it is a very popular sport.

Q. And are those tracks largely attended?—A. Oh, yes, the sport is very popular.

Q. And does the bookmaker ply his trade there, does he move about or is he stationary?—A. He is stationary.

Q. Is that the law of the country?—A. He is a licensed bookmaker.

Q. And he has a stationary booth?—A. Yes, he has a stand.

Q. And the 'Tote,' as you call it, is a machine?—A. It is legalized there, yes.

Q. And what have you to say as to the advantages of the Totalizer, compared with betting with the bookmaker?—A. It is an alternative.

Q. I will put it in another way, what do the mass of the people who attend the race tracks there, do, that is the bettors, I am speaking of?—A. The small men, the majority, we will say, bet on the Tote, that is the man like you and myself, for instance, we will bet on the Tote.

Q. What is the bookmaker for?—A. Oh, he is there to gratify the desires of the big moneyed men, as far as South Africa goes, I mean, in other words, the small man bets with the Tote and the real race course man goes to the bookmaker.

Q. That is the plunger?—A. Yes, the plunger goes to the bookmaker, and the public, generally speaking, go to the Tote.

Q. Mr. Nelson has told us that in his opinion it is a clean way of betting and that it practically eliminates the tout and the camp followers?—A. Entirely.

Q. What have you to say about that?—A. I should agree with Mr. Nelson, that it would practically eliminate any possibility of doubtful occurrences.

Q. There is no confusion on the tracks there at all?—A. None.

Q. There is a bill at present before Parliament which aims to abolish bookmaking but still preserves the right of individual betting. Having regard to the conditions in South Africa and your experience there what would you say of the abolition of book-making, also bearing in mind that we have no Totalizer here?—A. I should be inclined personally to advocate the replacing of the bookmaker by the Totalizer or a combination of both but not the annihilation of either or both.

Q. You agree with the last witness then that there would be confusion or disorder if open betting were abolished?—A. It would be in the hands of the racing mob.

Witness discharged.

MR. MEREDITH.—Some days ago Mr. Raney asked that the list of the Montreal Jockey Club, be furnished. In accordance with his request I have had the list prepared and Mr. Raney, having perused it, has returned it with the intimation that he has no further use for it. Having gone to the trouble of preparing it I ask that it be put on the record.

(Document filed as follows.)

MONTREAL JOCKEY CLUB, LIMITED.

MEMBERS, 1909.

Allan, Sir H. Montagu (D), 2 St. Peter St.	Allan, R. A., 308 Prince Arthur St.
Allan, Arch. (G), 308 Prince Arthur St.	Alloway, C. J., London and Lancashire Building.
Angus, R. B., 2 Place d'Armes Square.	Allan, Hugh A. (D), 2 St. Peter St.
Andrew, Andrew A. (G), Allan (?), 2 St. Peter St.	Angus, D. Jas., 164 St. James St.
Angus, D. Forbes, Merchants' Bank Building.	Alexander, James, 604 St. Paul St.

1-2 GEORGE V., A. 1911

MONTREAL JOCKEY CLUB, LIMITED.

MEMBERS, 1909.—*Continued.*

- Anson, F. H., Ogilvi & Flour Mills Company.
 Archer, Chas., 2 Place d'Armes Square.
 Atwater, Hon. A. W., 'Guardian' Building.
 Alexander, D. C., 604 St. Paul St.
 Auld, John, 130 Lagachetiere St. W.
 Aitken, Wm. M., Royal Insurance Building.
 Boardmore, E. N. (G), 59 St. Peter St.
 Bell, Dr. James (G), 409 Dorchester St. W.
 Blackwell, K. W. (G), 51 St. Patrick St.
 Baumgarten, A. (G), 4 Hospital St.
 Bosworth, G. M., Canadian Pacific Railway.
 Baker, W. R., Canadian Pacific Railway.
 Borradaile, H. E., 'Guardian' Building (Red path & Co.).
 Barnard, C. A., 180 St. James St.
 Brown, Albert J., London and Lancashire Building.
 Baynes, H. D., St. James Club.
 Barnard, E. A., 570 Sherbrooke St., E.
 Beaudry, Oscar, 35 Sherbrooke St., E.
 Bender, E. N., Canadian Pacific Railway.
 Biggar, W. H., Grand Trunk Railway.
 Budden, E. C., New York Life Building.
 Brosseau, K.C., T., 'Guardian' Building.
 Boxer, S. S., Watson-Foster Co., Ltd.
 Beaubien, Hon. Louis, 112 St. James St.
 Butze, A., Grand Trunk Railway.
 Brown, Fayette, 107 St. James St.
 Ballantyne, C. C., Sherwin-Williams Co.
 Bate, Llewelyn, Ottawa.
 Butler, W. W., Windsor Hotel.
 Bruneau, A., 131 Sherbrooke St., E.
 Bramley, Wm., 7 Bleury St.
 Bagg, R. Stanley, 107 St. James St.
 Bergevin, Achille, Board of Trade Building
 Branchaud, Chas. H., 104 St. François-Xavier St.
 Burnett, Hugh, 30 Hospital St.
 Carruthers, James (D), Board of Trade Building.
 Campbell, Colin (D), 17 St. John St.
 Clouston, Sr., Edward S. (G), Bank of Montreal.
 Cook, Geo. W. (G), Coristine Building.
 Creelman, K. C., A.R. (G), Canadian Pacific Railway.
 Casgrain, Hon. J. P. B. (D), 180 St. James St.
 Cains, Geo. L. (G), Greenshields Ltd.
 Campbell, K. C., C.S. (G), Merchants Bank Bldg.
 Cassils, Charles (G), Bell Telephone Bldg.
 Carruthers, William, Board of Trade Bldg.
 Cowans, P. P., 95 Notre Dame St. W.
 Cameron, Donald E., 1 Linton Apartments.
 Campbell, D. A., Board of Trade Bldg.
 Cantlie, Lt., Col. Geo. S., Canadian Pacific Ry.
 Carrier, Judge A., 74 University St.
 Charlebois, R., 111 Notre Dame St. W.
 Caverhill, George, 89 St. Peter St.
 Cochrane, A. W., Bell Telephone Co.
 Campbell, Lt. Col. Bruce F., St. James Club.
 Casgrain, Hon. T. Chase, Canada Life Bldg.
 Cushing, Thomas, 217 Peel St.
 Cowans, Douglas, Bank of Montreal.
 Chaput, Armând, 2 De Bresolles St.
 Cook, J. W., Royal Insurance Bldg.
 Craig, Dr. R. H., 186 Peel St.
 Chipman, Dr. W. W., 285 Mountain St.
 Cushing, T. Hube t, Montreal Brewing Co.
 Coombs, T. G., Chambly, P.Q.
 Cape, E. G. M., 40 Hospital St.
 Carrington, E. R., 112 St. James St.
 Crowdy, G. J., Commercial Union Bldg.
 Cowie, F. W., Harbour Commissioners.
 Davis, M. B. (G), 900 St. Antoine St.
 Douglas, John A. (G), Sun Life Bldg.
 Drummond, Sir George A. (G), 80 St. François Xavier St.
 Drummond, T. J. (G), Canada Life Bldg.
 Davis, M. E., 126 St. Antoine St.
 Dobell, W. M., Quebec.
 Dawes, Norman, 521 St. James St.
 Dawes, Andrew J., 521 St. James St.
 Delorme, C. E., 15 De Bresolles St.
 Douglas, J. R., 21 St. Nicholas St.
 Drummond, Huntley, 80 St. François Xavier St.
 Dunbar, John, Changed.
 Davidson, T. C., Davidson Mfg. Co.
 Dupuis, J. N., 447 St. Catherine St. E.
 Decarie, Hon. J. L., New York Bldg.
 Davidson, Thornton, 86 Notre Dame St. W.
 Donahue, Chas., Coristine Bldg.
 Dorsey, H. A., Street Railway Chambers.
 Davis, J. T., 14 St. Peter St., Quebec.
 Davidson, Peers, Bank of Ottawa Bldg.
 Davidson, Judge C. P., 44 Linton Apartments.
 Dawes, K. T., 112 St. James St.
 Diamond, P. R., 69 Delorimier Ave.
 Doheny, M., 612 Sherbrooke St. W.
 Durant, H. M., St. James Club.
 Ekers, H. A. (G), 641 St. Lawrence Boulevard.
 Eadie, H. G., 22 St. John St.
 Evans, Lt. Col. W. H. (G), Bank of Ottawa Bldg.
 Evans, Dr. D. J., 603 Dorchester St. W.
 Edwards, W. A., His Majesty's Theatre.
 Elder, Dr. J. M., 4201 Sherbrooke St. W.
 Forget, Hon. L. J. (G), 69 Notre Dame St. W.
 Forget, M. P. Rudolphe (G), 83 Notre Dame St. W.
 Finley, S. A., Guardian Bldg.
 Fairbanks, F. C., 61 St. François Xavier St.
 Forbes, G. A., 212 St. James St.
 Fuller, H. J., 444 St. James St.
 Fetherstonhaugh, E. J., 112 St. James St.
 Farrell, G. W., 95 St. François Xavier St.
 Fairbanks, Geo. W., 61 St. François Xavier St.
 Freeman, Major, St. James Club.
 Gault, A. Hamilton (G), 17 St. Helen St.
 Grant, Lt. Col. W. A. (G), Place Viger Hotel.
 Greenshields, E. B., 17 Victoria Square.
 Garland, C. S., 100 Notre Dame St. W.
 Guest, Hon. L., 4 Hospital St.
 Greenshields, R. A. E., 86 Notre Dame St. W.
 Greenshields, J. N., 86 Notre Dame St. W.
 Geoffrion, Aime, 97 St. James St.
 Gordon, Charles B., 112 St. James St.
 Gaudet, J. E., 82 St. François Xavier St.
 Gilman, Hon. F. E., Merchants Bank Bldg.
 Greene, Geo. A., Canada Life Bldg.
 Gault, R. C. L., 114 Notre Dame St. W.
 Geoffrion, L. E., Harbour Commissioners.
 Greene, E. Kirke, St. James Club.
 Guerin, Hon. J. J., 4 Edgehill Ave.
 Galt, E. T., St. James Club.
 Gordon, James A., 4 Hospital St.
 Gudewill, C. E., Dominion Iron & Foundry Co.

APPENDIX No. 6

MONTREAL JOCKEY CLUB, LIMITED.

MEMBERS, 1909.—*Continued.*

- Hooper, Major George R. (D), 36 Chaboillez Sq.
 Hosmer, C. R. (G), 4 Hospital St.
 Hays, C. M. (G), Grand Trunk Ry.
 Hart, C. M., 163 McGill St.
 Hickson, R. N., 86 Notre Dame St. W.
 Hope, Wm., 994 Dorchester St. W.
 Horsey, J. H., Dominion Bank.
 Hosmer, Elwood, 21 Hospital St.
 Holt, H. S., Power Bldg.
 Holden, Norman J., 302 St. James St.
 Hickson, J. Claude, 179 St. James St.
 Hampton, Harold, 39 St. Sacrament St.
 Hart, F. L., 163 McGill St.
 Hart, E. T., 163 McGill St.
 Hanson, Edwin, Canada Life Bldg.
 Hebert, Zeph., Hudson, Hebert & Co.
 Henderson, J. R., Brandram, Henderson, Ltd.
 Hamel Jules, Bank of Hochelaga.
 Hamilton, Geo., Hamilton & Co., St. Catharine St. W.
 Howard, Robert, 112 St. James St.
 Hawkins, E. J. E., 16 St. Sacrament St.
 Hutchins, Horace, 151 St. James St.
 Hervey, C. L., Bank of Ottawa Bldg.
- Irvine, Dr. Austin D., The Linton Apartments.
 Ives, Dr. A. Scott, 112 St. James St.
 Ibbotson, Dr. J. S., Tooke's Bldg.
- Joseph, Henry (G), Canada Life Bldg.
 Joseph, Horace, Canada Life Bldg.
 Jonas, Henri, 391 St. Paul St.
 Jones, R. Lloyd, 114 Notre Dame St. W.
- King, James C., 151 Craig St. W.
 Koelle, H. H. Vasehell, 59 St. Gabriel St.
 Kinghorn, James R., 121 Crescent St.
 Kilpin, Geo. J., Imperial Oil Co.
- Lachapelle, Dr. E. P. (G), 313 Prince Arthur St.
 Lemay, E. H. (G), Bell Telephone Bldg.
 Lewis, F. Orr (G), 14 Bleury St.
 Law, Alan (G), 28 St. John St.
 Lafleur, K. C. Eugene, New York Life Bldg.
 Lewis, James G., 14 Bleury St.
 Love, T. H., 353 Craig St. W.
 Learmont, H. H., 30 Macgregor St.
 Law, David, 28 St. John St.
 Lichtenhein, Samuel, 173 Common St.
 Larocque, A. A., 335 Sherbrooke St. E.
 Lovell, F. E., Street Railway Chambers.
 Lewis, Howard, 157 St. James St.
- Meighen, Lt. Col F. S. (G), 4 Hospital St.
 Meredith, Charles (G), 95 St. François Xavier St.
 Meredith, H. V. (G), Bank of Montreal.
 Molson, F. W. (G), 906 Notre Dame St. E.
 Monk, M.P., F. D. (G), 58 St. François Xavier St.
 Morse, F. W. (G), Grand Trunk Ry.
 Morrice, W. J., Fisher Bldg.
 Molson, Herbert, 906 Notre Dame St. E.
 Miller, D. C. S., 40 Hospital St.
 Montgomery, Geo. H., 164 St. James St.
 Mignault, Dr. Arthur, 274 St. Denis St.
 Markey, F. H., 179 St. James St.
 Morgan, Harold M., Beaver Hall Bldg.
 Morrice, Jr., David, Fisher Bldg.
- Mitchell, Major Victor, Canada Life Bldg.
 Molson, H. Markland, Molson's Bank.
 Meredith, F. E., Merchant's Bank Bldg.
 Miller, W. R., 40 Hospital St.
 Morrissey, T. L., 260 St. James St.
 Mathias, P. F., 179 St. James St.
 Molson, H. S. S., 180 Mansfield St.
- McLennan, Bartlett (D), 14 Place Royale.
 McEachren, Dr. Charles (D), 6 Union Ave.
 MacDougall, H. B. (D), 95 St. François Xavier St.
 Mackay, Hon. Robert (G), Royal Insurance Bldg.
 Mackenzie, A. Allan (G), 260 St. James St.
 McAvity, George, St. John, N.B.
 McNicoll, D., Canadian Pacific Ry.
 McLea, H. Paton, 23 Common St.
 McIntyre, C. C., 111 Common St.
 McGibbon, D. Lorne, Canadian Rubber Co.
 MacTier, A. D., Canadian Pacific Ry.
 MacMaster, Wm., Montreal Rolling Mills.
 Macarow, D. C., Merchants Bank Bldg.
 McDougall, Edgar, Seigneur & William St.
 MacDonnell, A. R., Merchants Bank.
 Mackenzie, J. G., 585 Sherbrooke St. W.
 McIntyre, J. M., 317 Drummond St.
 McCuaig, Clarence J., 157 St. James St.
 MacDougall, R. E., 17 St. Helen St.
 MacDougall, R. W., 17 St. Helen St.
 Macintosh, P., MacIntosh & Hyde.
 MacDougall, Gordon W., New York Life Bldg.
 McIntyre, Duncan, 13 Victoria Sq.
 Macfarlane, Norman, 92 Beaudry St.
 Mackenzie, Dr. Ridley, 162 Peel St.
 McCuaig, Colin M., 67 St. François Xavier St.
 McDiarmid, Dr. Alfred, The Shirley Apartments, Westmount.
- Nelson, C. H., 472 Guy St.
 Nash, Norman F., 4 Hospital St.
- Ogilvie, A. E. (D), 80 St. François Xavier St.
 Ogilvie, C. L. (G), 80 St. François Xavier St.
 Ouimet, P. C., Hon. J. A., 500 Sherbrooke St. W.
 Oswald, M. C., 82 St. François Xavier St.
 Oppe, John D., 86 Notre Dame St. W.
 Ogilvie, Shirley, Ogilvie Flour Mills Co.
 Owen, John V., Chambly, P.Q.
 O'Brien, E. M., 88 St. François Xavier St.
 Ogilvie, D. W., 11 St. Sacrament St.
 Ogden, I. G., Canadian Pacific Ry.
 O'Brien, J. A., New York Life Bldg.
- Paton, Hugh (D), 38 Victoria Sq.
 Paterson, R. McD., 100 St. François Xavier St.
 Pease, E. L., Royal Bank.
 Paterson, J. B., 164 St. James St.
 Prentice, W., 343 St. Paul St.
 Parker, E. W., 80 St. François Xavier St.
 Payette, Louis, 992 St. Urbain St.
 Paterson, Alex., 21 Hospital St.
 Pinder, John, Coristine Bldg.
 Perchard, H. L., 210 Milton St.
 Pillow, Howard, 41 Rosemount Ave., Westmount.
- Robidoux, Hon. J. Emery (D), Judges' Chambers, Court House.
 Redmond, James (G), Ames Holden Co.
 Ross, James (G), 112 St. James St.

MONTREAL JOCKEY CLUB, LIMITED.

MEMBERS, 1909.—*Continued.*

- Redpath, J. H., Guardian Bldg.
 Robertson, Alex., 140 William St.
 Rutherford, James, 27 St. Sacrament St.
 Richardson, John A., Imperial Bank.
 Riley, Geo. C., 9 St. John St.
 Ross, J. K. L., 112 St. James St.
 Ramsay, W. M., 303 Peel St.
 Reinhardt, Jr., Lothar, Changed.
 Riley, J. E., 9 St. John St.
 Riley, Wm., 9 St. John St.
 Ryan, Raymond, 55 St. Mark St.
 Root, Chas. I., 8 Rosemount Ave., Westmount.
 Robertson, John S., 308 Craig St. W.
 Redmond, C. J., Redmond Co., Ltd.
 Reford, R. Wilson, 25 St. Sacrament St.
 Redpath, F. M., St. James Club.
 Robertson, W. F., 157 St. James St.
 Riley, Maj. Jas. J., Jr., 443 St. James St.
 Reilly, Rr. W. G., 202 Peel St.
 Robertson, Duncan, 36 Chaboillez Sq.
 Rodden, Maj. W. T., Board of Trade Bldg.
- Shaughnessy, Sir T. G. (G), Canadian Pacific Ry.
 Sims, Maj. A. Haig (G), 64 Queen St.
 Stephens, Maj. G. W. (G), Harbour Commissioners.
 Stikeman, H. (G), Bank of British North America.
 Smith, Clarence F., The James McCready Co.
 Shearer, M. F. H. Andrew, 225 St. Patrick St.
 Stevenson, J. Alex., 75 St. Ambroise St.
 Smith, Chas. F., The James McCready Co.
 Sise, Edw. F., 241 Guy St.
 Sugden, Dr. B. A., 65 Burnside Place.
 Stone, H. C., 84 St. François Xavier St.
 Smith, W. B., 2 Place Royale.
 Stavert, W. E., 211 Drummond St.
 Starke, Lt. Col. Geo. R., 2 Place Royale.
 Sheppard, Geo. J., 66 McGill St.
 Sheppard, Ed., 71 St. James St.
 Simard, G. A., 363 Sherbrooke St. E.
 Stephens, L. de K., Commercial Union Bldg.
 Slater, Chas. E., 63 Latour St.
 Smith, Dr. A. Laphorne, 238 Bishop St.
 Smith, C. J., Richelieu & Ontario Nav. Co.
 Smith, R. Wilson, Guardian Bldg.
- Sandeman, A. A., 8 Beaver Hall Hill.
 Shepherd, Beaumont, St. James Club.
 Sise, C. L. E., Bell Telephone Co.
 Shaughnessy, W. J., 905 Dorchester St. W.
 Stewart, John, Roslyn & Cote Rd., Westmount.
 Shirres, Dr. D. A., The Sherbrooke.
 Shaughnessy, A. T., 905 Dorchester St. W.
 Stephens, F. C., 393 Dorchester St. W.
 Sims, G. Ross H., 64 Queen St.
 Sims, Harold H., Bell Telephone Co.
 Stinson, R. A., Street Railway Chambers.
 Simpson, James, 10 Benoit St.
 Scott, Lt. Col. B. A., Quebec.
 Stephenson, Denys Russell, Royal Trust Co.
- Thompson, F. W. (G), Ogilvie Flour Mills Co.
 Trenholme, C. W., 111 Common St.
 Torrance, W. B., Royal Bank.
 Timmons, L. H., 95 Notre Dame St. W.
 Tarte, L. J., La Patrie.
- Van Horne, Sir William (G), Canadian Pacific Ry.
 Valiquette, N. G., 477 St. Catherine St. E.
- White, K.C., W. J. (G), New York Life Bldg.
 Whitehead, Lt. Col. E. A. (G), Bell Telephone Bldg.
 Wilson, Lt. Col. E. A., 260 St. James St.
 Westgate, J. J., 294 Lagachetière St.
 Wilson, W. W. C., 242 Craig St. W.
 Wilson, L. A., 87 St. James St.
 Willis, Raymond, Linton Apartments.
 Wonham, Walter, 6 St. Sacrament St.
 Watson, J. C., 63 Sherbrooke St. W.
 Watson, Hugh, 63 Sherbrooke St. W.
 Watson, James Reid, 136 Craig St. W.
 Weldon, W. S., Windson Hotel.
 Walker, D. S., His Majesty's Theatre.
 Wilson, J. M., 520 St. Paul St.
 Whyte, J. K., McIntyre & Sons, Victoria Sq.
 Wilson, General J. F., Quebec.
 Whitehead, W. T., Mount Royal Spinning Co.
- Yates, M.D., Ald. H. B. (G), St. James Club.

DECLARATION AND STATEMENTS HANDED IN BY MR. JNO. F. RYAN.

MR. JAMES CARRUTHER'S TESTIMONY.

Q. Are you connected with the National Bureau of Breeding?—A. Yes, as a shareholder.

Q. What is the object of the National Bureau?—A. To improve the breeding of horses in Canada.

Q. In what way?—A. By placing thoroughbred sires throughout the country.

Q. What kind of sires is selected?—A. Thoroughbreds that have good conformation which have been successful on the tracks.

Q. Is racing necessary for the development of the thoroughbred?—A. Yes, this has been proven for two hundred years.

Q. Have you owned many thoroughbreds yourself?—A. Yes, in partnership with the late Alexander Shields, we owned and raced many thoroughbreds, including 'Advance Guard' 'Logan,' 'Topmast,' 'Ben Crockett' and others.

APPENDIX No. 6

Q. What kind of a thoroughbred was 'Advance Guard'?—A. He was one of the best thoroughbreds in America at carrying weight over a distance.

Q. Where is 'Advance Guard' now?—A. I sold my interest in him to Mr. Shields for \$25,000 and after his death the horse went to the New York Bureau. He is now in New York State improving the breed of horses.

Q. Are the Bureau sires placed all over Canada?—A. Yes.

Q. How does the Bureau receive them?—A. By donation. We have a good many of our horses from America owners and breeders which race on Canadian tracks and who approve of the British Racing Laws.

Q. What effect would the abolition of racing have on the Bureau?—A. It would cut off the supply.

Q. Are you a shareholder in the Montreal Jockey Club?—A. Yes.

Q. Did the Montreal Jockey Club precede the establishment of the National Bureau in Canada?—A. Yes.

Q. If racing were to cease at Montreal what effect would it have on the Bureau?—A. The Bureau would lose many donations. American owners would not feel under any obligation to help the breeding industry in Canada.

Q. Is betting necessary to racing?—A. There is no racing where there is no betting.

JAS. CARRUTHERS.

Sworn before me, this sixteenth day of February, 1910, at Montreal.

FARQUHAR ROBERTSON, J.P.,

District of Montreal.

TESTIMONY—D. RAYMOND.

Q. Are you connected with the National Bureau?—A. Yes, I am treasurer.

Q. Are your shareholders all British subjects?—A. Yes.

Q. Any American money in the Bureau?—A. No.

Q. Any jockey club money?—A. No.

Q. What did your last annual statement show?—A. It showed a loss of \$15,785.89.

Q. Any of the shareholders object?—A. No.

Q. Then such a loss was expected.—A. Yes.

Q. Has the Bureau been going full speed for the last year?—A. No, about half speed.

Q. Would it cost twice as much to go full speed?—A. Yes.

Q. What are your chief items of expenditure?—A. Transportation.

Q. Are all expenses on transportation of stallions paid by the Bureau?—A. Yes.

Q. Does the Bureau expect to lose every year?—A. Yes, unless we get a Federal grant.

Q. Would the Bureau accept a percentage of the gate receipts at running meetings?—A. It would accept a Federal grant and would have no objection if the government collected the amount of the grant in this way.

Q. Is this what is done in other countries?—A. Yes.

Q. Do you think the club would object?—A. No.

Q. Why?—A. Because it would nationalize racing.

Seal (Sd.) D. RAYMOND.

Sworn before me at Montreal this 15th day of Feb., 1910.

(Sgd.) J. A. RAYMOND, C.S.C.

1-2 GEORGE V., A. 1911

SAMUEL NESBITT—TESTIMONY.

Q. Have you a Bureau stallion?—A. Yes.

Q. What is his name?—A. Rosemount.

Q. How is he bred?—A. By Hastings, dam, Lady Rosemary, by St. Blaise.

Q. What do you think he is worth?—A. About thirty thousand dollars.

Q. Did the Bureau place him with you free?—A. Yes.

Q. Did your neighbours patronize him?—A. Yes, over the limit.

Q. What service fee did you charge?—A. Ten dollars, the same as all Bureau stallions.

Q. Has Rosemount been exhibited at the shows?—A. Yes.

Q. Ever been beaten?—A. No, always first.

Q. Do you think he could win in New York or London?—A. I think he could win anywhere.

Q. What would be the service fee of a horse like Rosemount if he had to be bought in the ordinary way?—A. About \$250.

Q. Would that stop all the farmers?—A. I think it would.

Q. Have you seen many Bureau stallions?—A. I have seen nearly all of them.

Q. What is the standard?—A. Excellent.

Q. Did you take any Bureau stallions to Alberta?—A. Yes.

Q. Were the farmers up there pleased with them?—A. They were delighted.

Q. Do you think the Federal government should help the Bureau?—A. Yes.

Q. Would the abolition of racing injure the Bureau?—A. It would probably stop American donations.

Q. Do you think the Bureau is a good institution?—A. I think it is the best thing ever started in Canada to improve the breed of horses.

Seal. S. NESBITT,

Sworn before me this 15th day of February, 1910, at Montreal.

(Sgd.) J. A. RAYMOND, C.S.C.

ANDREW SHEARER—TESTIMONY.

Q. Are you an executive officer of the National Bureau?—A. Yes.

Q. What effect would the abolition of racing have on the Bureau?—A. It would seriously effect the supply of horses.

Q. Does the Bureau need many thoroughbred sires?—A. We could place over a thousand if we had them.

Q. How does the Bureau get its stallions?—A. By donation.

Q. From where?—A. From racing men, breeders and others.

Q. Why do they donate these stallions?—A. The donors are generous spirited men who think that the Bureau is a great work. The English donors think the Bureau will solve the remount problem.

Q. Is it necessary to develop thoroughbreds by racing?—A. Yes, that is the only way to develop them.

Q. Do all nations admit this?—A. Yes.

Q. Do European governments pay much for thoroughbred sires, which have raced?—A. They have spent millions.

Q. What kind do they pay the most money for?—A. Stayers-horses which have proved their ability to carry weight and go a distance.

Q. Does the Bureau place its horses free?—A. Yes.

Q. Do you think the Bureau should get federal aid?—A. Yes.

ANDREW SHEARER.

Sworn before me at Montreal this 15th day of February, 1910.

(Sgd.) J. A. RAYMOND, C.S.C.

APPENDIX No. 6

STATUTORY DECLARATION.

COUNTY OF CARLETON, TO WIT:

In the matter of Bill No. 6, entitled An Act to amend the Criminal Code, I, John F. Ryan, of the City of Montreal, in the Province of Quebec, General Manager, do solemnly declare:

That I am the General Manager of the Canadian National Bureau of Breeding, and have been asked by the Directors of that Corporation to submit some evidence to the committee in charge of Bill No. 6.

That I hereby testify that the National Bureau gets its horses by donation and that seventy-five per cent of such donations come from American owners and breeders who race in Canada and approve of the Anglo-Saxon racing laws in force here.

That the National Bureau has no government support and cannot compete for thoroughbred horses in the open market against the buyers of European governments, so that if there is any legislation which will stop the donation of horses our work will be greatly hampered.

That any legislation which will close up the tracks will stop all American donations to the National Bureau.

That our Bureau aims to improve the horse breeding industry in Canada. The thoroughbred is the only known horse which improves all breeds and the breeding industry of a nation means all breeds. This has been proven by other nations for two hundred years.

That in addition to improving all breeds the National Bureau is creating a utility type which will do a large share of the nation's work and be ready for cavalry purposes in time of war. In other words the National Bureau is solving the remount problem for the British empire and this branch of imperial defence is second only in importance to the British navy. The territorial army alone in England is 84,000 horses short. In the event of a European war England would not be allowed to purchase horses except in her own territory or that of an ally. During the Boer war she purchased cavalry horses in Austria, Hungary, the Argentines and the United States. This was because the Transvaal was not a Sovereign power. If such had not been the case, England would have been crippled, for the Boer war used up 800,000 horses and apart from war altogether England needs from six to eight thousand horses per year to keep the cavalry up to a peace footing.

That the English war office has sent men to every hole and corner of Canada and these men are asking Canadian farmers to raise cavalry horses and to avail themselves of the opportunity offered by the National Bureau.

That the best war experts in Europe admit that the defence of England means the defence of France. If the spark should drop which would ignite Europe, England must send an army into France to assist that country and if she needed 800,000 horses to stop the Boers, how many more will be necessary in a big European war.

That the war expert of the *Pall-Mall Gazette* says that England depends upon Canadian farmers to produce this crop. The English government has the money to pay for them, and if Canada does not produce these horses, no other country can. Australia sends 8,000 war horses per year to India, France, Germany, Russia and Japan jealously guard their horse crop. Austria to which England has often sent for horses, now needs them herself. The United States sold over 1,000 horses to England during the Boer war, but English war office buyers were told to leave that country and will not be allowed to buy there again, so it depends on Canada to solve the remount problem.

1-2 GEORGE V., A. 1911

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act, 1893.

Declared before me at the City of Ottawa, in the County of Carleton, this
18th day of February, A.D., 1910.

(Sgd.) JOHN F. RYAN.

(Sgd.) J. S. DUNLEVIE,
A Commissioner, etc.

⊕



